(94)

UNITED
NATIONS

E

Economic and Social
Council

Distr.
LIMITED

E/CN.4/1990/L.10/Add.10
8 March 1990

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 27

DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Ross HYNES (Canada)

CONTENTS */

Chapter		Paragraphs	Page
X.	Question of the human rights of all persons subjected to any form of detention or imprisonment		
	A. Torture and other cruel, inhuman or degrading treatment or punishment		
	B. Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment		
	C. Question of enforced or involuntary disappearances		

*/ E/CN.4/1990/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council will be contained in documents E/CN.4/1990/L.11 and addenda.

X. QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT

1. The Commission considered agenda item 10 and sub-items 10 (a), 10 (b) and 10 (c) at its 23rd to 30th meetings, held from 14 to 19 February, and at its 48th, 52nd and 54th meetings, held on 2, 6 and 7 March 1990. 2/

2. In relation to item 10, the Commission had before it the following documents:

Note by the Secretary-General on the feasibility of drafting model texts for national legislation or other measures for the effective implementation of standards relating to human rights in the administration of justice (E/CN.4/1990/12);

Note by the Secretary-General on detention of international civil servants and their families (E/CN.4/1990/14);

Note verbale dated 12 February 1990 from the Permanent Mission of Nicaragua to the United Nations Office at Geneva addressed to the Centre for Human Rights (E/CN.4/1990/83);

Letter dated 1 March 1990 from the Chargé d'affaires of the Permanent Mission of the Socialist People's Republic of Albania to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1990/85);

Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1990/NGO/48);

Written statement submitted by the World Federation of Trade Unions, a non-governmental organization in consultative status (category I) (E/CN.4/1990/NGO/61);

Written statement submitted by the International Fellowship of Reconciliation, a non-governmental organization in consultative status (category II) (E/CN.4/1990/NGO/69).

3. In the general debate on item 10, 3/ statements were made by the following members of the Commission: Canada (27th), China (27th), India (23rd), Philippines (26th), Portugal (27th), Senegal (26th), Union of Soviet Socialist Republics (27th), United Kingdom of Great Britain and Northern Ireland (26th), United States of America (27th).

4. The Commission heard statements by the observers for: Austria (26th), Costa Rica (26th), Democratic Peoples' Republic of Korea (27th), Egypt (26th), Lebanon (26th), New Zealand (27th), Nicaragua (28th), Switzerland (29th).

5. A statement was also made by the representative of the African National Congress of South Africa (28th).

6. The Commission heard statements by the following non-governmental organizations: Amnesty International (24th), Arab Lawyers Union (30th), Commission of the Churches on International Affairs of the World Council of Churches (30th), Federation of Associations of Former International Civil Servants (24th), Human Rights Avocates (23rd), International Abolitionist Federation (26th), International Association Against Torture (26th), International Association for the Defence of Religious Liberty (23rd), International Association of Democratic Lawyers (30th), International Association of Educators for World Peace (24th), International Commission of Health Professionals (26th), International Commission of Jurists (24th), International Falcon Movement (24th), International Federation for Human Rights (24th), International Fellowship of Reconciliation (26th), International Human Rights Law Group (26th), International Indian Treaty Council (30th), International League for the Rights and Liberation of Peoples (26th), Liberation (24th), International Movement for Fraternal Union among Races and Peoples (26th), International Organization for the Elimination of All Forms of Racial Discrimination (30th), International Union for Students (24th), Pax Romana (24th), Regional Council on Human Rights in Asia (25th), Service, Justice and Peace in Latin America (24th), World Federation for Mental Health (26th), World Movement of Mothers (26th), World Union for Progressive Judaism (24th), World University Service (24th).

7. Statements in right of reply or equivalent to right of reply were made by the representatives of: Cuba (30th), Peru (24th) and by the observers for Democratic Peoples' Republic of Korea (30th), Guatemala (30th), Greece (27th), Indonesia (30th and 27th), Libyan Arab Jamahiriya (24th), Morocco (26th), Nicaragua (27th) and Sudan (30th).

8. At its 48th meeting, on 2 March 1990, the Commission took up consideration of the draft resolutions submitted under agenda item 10.

9. The representative of Portugal introduced draft resolution E/CN.4/1990/L.42, sponsored by Austria*, Costa Rica*, Germany, Federal Republic of, Italy, Luxembourg*, Nicaragua*, the Philippines, Portugal, Togo* and the United Kingdom of Great Britain and Northern Ireland. France and Panama subsequently joined the sponsors.

10. The draft resolution was adopted without a vote.

READEX FICHE

11. A statement in explanation of vote after the vote was made by the representative of Japan.

12. For the text as adopted, see chapter II, section A, resolution 1990/31.

13. At the same meeting, the representative of Canada introduced draft resolution E/CN.4/1990/L.43, sponsored by Austria*, Belgium, Bulgaria, Canada, France, the Gambia, Germany, Federal Republic of, Luxembourg*, Spain, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics. Hungary, Panama, Peru, Togo* and the Ukrainian Soviet Socialist Republic subsequently joined the sponsors.

14. The representative of Canada orally revised operative paragraph 7 of the draft resolution by replacing the words "reference in the working paper prepared by Mr. Turk to" with the words "views expressed by Mr. Turk in his working paper including those on".

15. The draft resolution, as orally revised, was adopted without a vote.

16. For the text as adopted, see chapter II, section A, resolution 1990/32.

17. In view of the adoption of draft resolution E/CN.4/1990/L.43 (see paras. 13-16), the Commission decided to take no action on the Sub-Commission on Prevention of Discrimination and Protection of Minorities draft resolution IV (E/CN.4/1990/2, chap. 1, sect. A).

18. At the same meeting, the representative of Belgium introduced draft resolution E/CN.4/1990/L.44, sponsored by Austria*, Belgium, Botswana, Bulgaria, Canada, Colombia, Cyprus, France, the Gambia, Germany, Federal Republic of, Hungary, Italy, Luxembourg*, the Netherlands*, Nicaragua*, the Philippines, Portugal and Togo*.

19. The draft resolution was adopted without a vote.

20. A statement in explanation of vote after the vote was made by the representative of Japan.

21. For the text as adopted, see chapter II, section A, resolution 1990/33.

22. At the same meeting, the Commission considered draft resolution III, recommended by the Sub-Commission for adoption by the Commission (E/CN.4/1990/2, chap. I, sect. A).

23. Draft resolution III was adopted without a vote.

24. For the text as adopted, see chapter II, section A, resolution 1990/35.

25. At the 52nd meeting, on 6 March 1990, the representative of France introduced draft resolution E/CN.4/1990/L.46, sponsored by Belgium, Colombia,

France, Germany, Federal Republic of, Italy, Japan, Switzerland*, Togo*, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland. Ireland* subsequently joined the sponsors.

26. The representative of Senegal made a statement relating to the draft resolution.

27. The draft resolution was adopted without a vote.

28. For the text as adopted, see chapter II, section A, resolution 1990/36.

29. At the same meeting, the Commission considered draft resolution IX recommended by the Sub-Commission for adoption by the Commission (E/CN.4/1990/2, chap. II, sect. A).

30. The representative of the United Kingdom of Great Britain and Northern Ireland proposed oral amendments to draft resolution IX, as follows:

(a) In paragraph 1 (a), replace the words "incorporate into the national legislation" with the words "take into account and respect, within the framework of the national rules, regulations and practices";

(b) In paragraph 1 (b) replace the word "corresponding" with the word "relevant" and the word "legislation" with the words "rules and regulations";

(c) In paragraph 1 (c) delete the word "corresponding" and replace the word "legislation" with "rules and regulations".

31. The amendments were accepted by the Commission.

32. Draft resolution IX, as orally amended, was adopted without a vote.

33. For the text as adopted, see chapter II, section A, resolution 1990/37.

34. At the 54th meeting, on 7 March 1990, the observer for Austria* introduced draft resolution E/CN.4/1990/L.38, sponsored by Australia*, Austria*, Belgium, Canada, Colombia, Cyprus, Denmark*, Finland*, France, Germany, Federal Republic of, Hungary, Italy, New Zealand*, the Philippines, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland. The Gambia, the Netherlands* and Peru subsequently joined the sponsors.

35. The observer for Austria orally revised the draft resolution as follows:

(a) The third preambular paragraph which read "Calling attention to the various international standards adopted by the United Nations in the field of administration of justice," was replaced;

(b) A new paragraph was inserted as the fourth preambular paragraph;

(c) In the new fifth preambular paragraph, the words "the Second Optional Protocol to the International Covenant on Civil and Political Rights on the elimination of the death penalty, as well as of" were deleted.

36. An amendment (E/CN.4/1990/L.77) to draft resolution E/CN.4/1990/L.38 submitted on 2 March 1990 by Bangladesh, China, Egypt*, Iraq, Iran*, Japan, Jordan*, and Pakistan, which was subsequently withdrawn, read as follows:

"Delete the following from the fourth preambular paragraph: the Second Optional Protocol to the International Covenant on Civil and Political Rights on the elimination of the death penalty, as well as of".

37. Draft resolution E/CN.4/1990/L.38, as orally revised, was adopted without a vote.

38. Statements in explanation of vote after the vote were made by the representatives of Japan, Pakistan, Portugal and the United States of America.

39. For the text as adopted, see chapter II, section A, resolution 1990/81.

A. Torture and other cruel, inhuman or degrading treatment or punishment

40. In connection with agenda item 10 (a), the Commission had before it the following documents:

Report of the Secretary-General on the United Nations Voluntary Fund for Victims of Torture (A/44/708);

Note by the Secretary-General on the United Nations Voluntary Fund for Victims of Torture (E/CN.4/1990/16);

Report by the Special Rapporteur, Mr. P. Kooijmans, pursuant to Commission on Human Rights resolution 1989/33 (E/CN.4/1990/17 and Add.1);

41. At the 23rd meeting, on 14 February 1990, the Special Rapporteur, Mr. Peter Kooijmans, introduced his report (E/CN.4/1990/17 and Add.1) to the Commission.

42. On the general debate on item 10 (a), 3/ statements were made by the following members of the Commission: Belgium (27th), Canada (27th), China (27th), Cyprus (27th), India (23rd), Mexico (27th), Philippines (26th), Portugal (27th), Senegal (26th), Spain (27th), Sweden (23rd), Union of Soviet Socialist Republics (27th), United Kingdom of Great Britain and Northern Ireland (26th), United States of America (27th), Yugoslavia (26th).

43. The Commission also heard statements by the observers for: Austria (26th), Costa Rica (26th), Egypt (26th), Netherlands (29th), New Zealand (27th), Turkey (29th).

44. Statements were also made by the observers for the Democratic People's Republic of Korea (27th) and Switzerland (29th).

45. A statement was also made by the observer for the African National Congress (29th).

46. The Commission also heard statements by the following non-governmental organizations: American Association of Jurists (26th), Amnesty International (24th), Arab Lawyers Union (30th), Centre Europe-Tiers Monde (26th), Christian Democratic International (26th), Commission of the Churches on International Affairs of the World Council of Churches (30th), Human Rights Advocates (23rd), International Association Against Torture (26th), International Association of Educators for World Peace (24th), International Commission of Health Professionals for Health and Human Rights (26th), International Falcon Movement (24th), International Federation of Human Rights (24th), International Federation of the Action of Christians for the Abolition of Torture (26th), International Human Rights Law Group (26th), International Indian Treaty Council (30th), International League for the Rights and Liberation of Peoples (26th), International Movement for Fraternal Union Among Races and Peoples (26th), International Organization for the Elimination of All Forms of Racial Discrimination (30th), International Union of Students (24th), Service, Justice and Peace in Latin America (24th), World Federation for Mental Health (26th), World Movement of Mothers (26th), World University Service (24th).

47. Statements in right of reply or equivalent to right of reply were made by the representatives of Cuba (27th), India (27th), Iraq (27th), Mexico (27th and 30th), Morocco (26th), Portugal (30th), Sri Lanka (27th) and the United States of America (30th) and by the observers for Greece (27th), Guatemala (27th and 30th), Honduras (27th), Indonesia (27th and 30th), Mauritania (26th and 30th), Sudan (24th and 30th) and the Syrian Arab Republic (24th) and by the observers for the Democratic Peoples' Republic of Korea (30th) and the Republic of Korea (30th).

48. At the 48th meeting, on 2 March 1990, the representative of Sweden introduced draft resolution E/CN.4/1990/L.40, sponsored by Australia*, Austria*, Belgium, Brazil, Canada, Costa Rica*, Denmark*, Finland*, France, the Gambia, Germany, Federal Republic of, Greece*, Italy, Japan, Luxembourg*, the Netherlands*, New Zealand*, Nicaragua*, Norway*, Peru, Senegal, Spain, Sweden, Switzerland*, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Argentina subsequently joined the sponsors.

49. The draft resolution was adopted without a vote.

50. For the text as adopted, see chapter II, section A, resolution 1990/29.

51. At the same meeting, the representative of Belgium introduced draft resolution E/CN.4/1990/L.45, sponsored by Australia*, Austria*, Belgium, Canada, Colombia, Cyprus, Denmark*, Finland*, the Gambia, Greece*, Ireland*, Italy, Luxembourg*, the Netherlands*, New Zealand*, Nicaragua*, Norway*, Peru, the Philippines, Portugal, Senegal, Spain, Sweden, Switzerland*, the United Kindgom of Great Britain and Northern Ireland and Zaire*. Costa Rica*, Panama and the Union of Soviet Socialist Republics subsequently joined the sponsors.

52. The representative of Belgium orally revised operative paragraph 15 by adding the words "in particular with a view to establishing the procedures for co-operation and avoiding any overlapping in the activities of the United Nations in combating torture;".

53. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1990/L.48) of draft resolution E/CN.4/1990/L.45, as orally revised.

54. The draft resolution, as orally revised, was adopted without a vote.

55. For the text as adopted, see chapter II, section A, resolution 1990/34.

B. Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

56. In relation to agenda item 10 (b), the Commission had before it the following document:

Report of the Secretary-General on the Status of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (E/CN.4/1990/15).

57. In the general debate on item 10 (b), 3/ statements were made by the following members of the Commission: Canada (27th), China (27th), Cyprus (27th), Senegal (26th), Sweden (23rd), Union of Soviet Socialist Republics (27th) and Yugoslavia (27th).

58. The Commission heard statements by the observers for: Austria (26th), Costa Rica (26th), Egypt (26th), Netherlands (29th), New Zealand (27th), Switzerland (29th), Turkey (29th).

59. Statements were also made by the following non-governmental organizations: American Association of Jurists (26th), Amnesty International (24th), International Association against Torture (26th), International Federation for Action by Christians for the Abolition of Torture (26th),

International Human Rights Law Group (26th), International League for the Rights and Liberation of Peoples (26th), International Organization for the Elimination of All Forms of Racial Discrimination (30th), Service, Justice and Peace in Latin America (24th).

60. At the 48th meeting, on 2 March 1990, the representative of Sweden introduced draft resolution E/CN.4/1990/L.39, sponsored by Afghanistan*, Argentina, Australia*, Austria*, Brazil, Byelorussian Soviet Socialist Republic*, Cameroon*, Canada, Costa Rica*, Denmark*, Germany, Federal Republic of, Finland*, France, the Gambia, Greece*, Italy, Luxembourg*, Mexico, the Netherlands*, New Zealand*, Nicaragua*, Norway*, Peru, Philippines, Portugal, Senegal, Spain, Sweden, Switzerland*, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Panama subsequently joined the sponsors.

61. The draft resolution was adopted without a vote.

62. For the text as adopted, see chapter II, section A, resolution 1990/28.

C. Question of enforced or involuntary disappearances

63. In relation to agenda item 10 (c), the Commission had before it the following document:

Report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1990/13).

64. At the 23rd meeting, on 14 February 1990, Mr. Ivan Tosevski, Chairman-Rapporteur of the Working Group on Enforced or Involuntary Disappearances, introduced the Working Group's report (E/CN.4/1990/13).

65. In the general debate on item 10 (c), 3/ statements were made by the following members of the Commission: Belgium (27th), Canada (27th), Cyprus (27th), India (23rd), Peru (24th), Philippines (26th), Portugal (27th), Spain (27th), Sweden (23rd), United Kingdom of Great Britain and Northern Ireland (26th), Yugoslavia (26th).

66. The Commission heard statements by observers for: Austria (26th), Lebanon (26th), Netherlands (29th), New Zealand (27th), Nicaragua (29th), Switzerland (29th).

67. Statements were also made by the following non-governmental organizations: American Association of Jurists (26th), Amnesty International (24th), Andean Commission of Jurists (24th), Centre Europe-Tiers Monde (26th),

Christian Democratic International (26th), Commission of the Churches on International Affairs of the World Council of Churches (30th), International Association against Torture (26th), International Commission of Jurists (24th), International Federation of the Action of Christians for the Abolition of Torture (26th), International Federation for Human Rights (24th), International League for the Rights and Liberation of Peoples (26th), International Movement for Fraternal Union among Races and Peoples (26th), International Indian Treaty Council (30th), International Union of Students (24th), Latin American Federation of Associations of Relatives of Disappeared Detainees (26th), Regional Council on Human Rights in Asia (26th), Service, Justice and Peace in Latin America (24th), World University Service (24th).

68. Statements in right of reply or equivalent to right of reply were made by the representatives of Honduras (27th), India (27th), Morocco (26th) and the Philippines (27th).

69. At the 48th meeting, on 2 March 1990, the representative of France introduced draft resolution E/CN.4/1990/L.41, sponsored by Austria*, Belgium, Canada, Cyprus, Denmark*, France, the Gambia, Germany, Federal Republic of, Greece*, Hungary, Ireland*, Italy, Luxembourg*, Madagascar, the Netherlands*, New Zealand*, Portugal, Senegal, Spain, Sweden, Switzerland*, Togo*, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland. Czechoslovakia*, Japan, and Norway* subsequently joined the sponsors.

70. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1990/L.76) of draft resolution E/CN.4/1990/L.41.

71. The draft resolution was adopted without a vote.

72. For the text as adopted, see chapter II, section A, resolution 1990/30.

55

UNITED NATIONS

E

Economic and Social Council

Distr.
LIMITED

E/CN.4/1990/L.10/Add.11
9 March 1990

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 27

DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Ross HYNES (Canada)

CONTENTS */

Chapter		Paragraphs	Page
XI.	Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission:		
	A. Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms		
	B. National institutions for the promotion and protection of human rights		
	C. Co-ordinating role of the Centre for Human Rights within the United Nations bodies and machinery dealing with the promotion and protection of human rights		

*/ E/CN.4/1990/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council will be contained in documents E/CN.4/1990/L.11 and addenda.

XI. FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

1. The Commission considered agenda item 11 at its 49th to 51st meetings, held on 5 March and 6 March, and at its 53rd and 54th meetings, held on 7 March 1990.

2. The Commission had before it the following documents:

Report of the Secretary-General on the development of public information activities in the fields of human rights (A/44/660 and Add.1);

Report of the Secretary-General on an in-depth evaluation of the human rights programme (E/AC/51/1990/2);

Report of the Secretary-General on regional arrangements for the promotion and protection of human rights in the Asian-Pacific region (E/CN.4/1990/18 and Add.1);

Note by the Secretary-General on the development of public information activities in the field of human rights (E/CN.4/1990/19);

Report of the Secretary-General concerning the co-ordinating role of the Centre for Human Rights (E/CN.4/1990/20);

Report of the Secretary-General on the international co-operation in solving international problems of a social, cultural, or humanitarian character, and in promoting and encouraging universal respect for, and observance of, human rights and fundamental freedoms (E/CN.4/1990/49);

Note by the Secretariat on the medium-term plan for the period 1992-1997 (E/CN.4/1990/54);

Note by the Secretariat relating to the activities of the Council of Europe in the field of human rights (E/CN.4/1990/65);

Communication dated 17 January 1990 from the Permanent Mission of Peru to the United Nations Office at Geneva addressed to the Centre for Human Rights (E/CN.4/1990/66);

Letter dated 7 February 1990 from the Deputy Chief State Commissioner of Zaire addressed to the Under-Secretary-General for Human Rights (E/CN.4/1990/79);

Letter dated 1 March 1990 from the Chargé d'affaires of the Permanent Mission of the Socialist People's Republic of Albania to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1990/85);

Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (catagory I) (E/CN.4/1990/NGO/2);

Written statement submitted by the Inter-Parliamentary Union, a non-governmental organization with consultative status (catagory I) (E/CN.4/1990/NGO/39).

3. In the general debate on this item, 3/ statements were made by the following members of the Commission: Belgium (50th), Canada (51st), China (50th), France (46th), Germany, Federal Republic of (50th), Italy (50th), Mexico (50th), Nigeria (50th), Philippines (51st), Portugal (50th), Senegal (50th), Union of Soviet Socialist Republics (51st), United Kingdom of Great Britain and Northern Ireland (50th), United States of America (50th).

4. The Commission heard statements by the observers for: Australia (50th), Austria (51st), Czechoslovakia (50th), Egypt (50th), Finland (50th), Ireland (50th) (on behalf of the European Community), Togo (50th), Tunisia (50th).

5. A statement was also made by the representative of the United Nations Educational, Scientific and Cultural Organization (50th).

6. The Commission heard statements by the following non-governmental organizations: Four Directions Council (50th), International Association of Educators for World Peace (50th), International Commission of Health Professionals for Health and Human Rights (50th), International Federation for Human Rights (50th), Latin American Federation of Associations of Relatives of Disappeared Detainees (50th), World Association for the School as an instrument of Peace (51st), World Union for Progressive Judaism (50th), World University Service (51st).

7. The Commission also heard joint statements made by the following non-governmental organizations: Defence for Children International (50th) on behalf of Baha'i International Community, Defence for Children International, Friends World Committee for Consultation, Human Rights Advocates, International Abolitionist Federation, International Association Against Torture, International Association of Juvenile and Family Court Magistrates, International Association of Penal Law, International Catholic Child Bureau, International Commission of Jurists, International Council of Women, International Federation Terre des Hommes, International Federation of Social Workers, International Federation of Women in Legal Careers, International League for the Rights and Liberation of Peoples, International Movement

ATD-Fourth World, International Save the Children Alliance, La Lèche League International, Liberation, Medical Women's International Association, Soroptimist International, Women's International Zionist Organization, World Association of Girl Guides and Girl Scouts, World Federation of Methodist Women, World Organization for Pre-school Education, World Union for Progressive Judaism; Grand Council of the Crees (of Quebec) (50th) on behalf of the Grand Council of the Crees (of Quebec), Indian Council of South America.

8. Statements in right of reply or equivalent to right of reply were made by the representative of Cuba (50th) and the observer for the Syrian Arab Republic (51st).

9. At the 53rd meeting, on 7 March 1990, the Commission took up consideration of the draft resolutions submitted under agenda item 11.

10. The representative of the Union of Soviet Socialist Republics introduced draft resolution E/CN.4/1990/L.55, sponsored by Austria*, Colombia, Ethiopia, India, the Philippines and the Union of Soviet Socialist Republics. Cyprus and the United Kingdom of Great Britain and Northern Ireland subsequently joined the sponsors.

11. Draft resolution E/CN.4/1990/L.55 was adopted without a vote.

12. A statement in explanation of vote after the vote was made by the representative of Japan.

13. For the text as adopted, see chapter II, section A, resolution 1990/70.

14. At the same meeting, the representative of the Philippines introduced draft resolution E/CN.4/1990/L.69, sponsored by Australia*, China, Cyprus, the Philippines and Sri Lanka. Thailand* subsequently joined the sponsors.

15. Draft resolution E/CN.4/1990/L.69 was adopted without a vote.

16. For the text as adopted, see chapter II, section A, resolution 1990/71.

17. At the same meeting, the representative of Italy introduced draft resolution E/CN.4/1990/L.78, sponsored by Australia*, Bulgaria, the Byelorussian Soviet Socialist Republic*, Colombia, Costa Rica*, Greece*, Hungary, India, Ireland*, Italy, the Netherlands*, Peru, the Philippines, Portugal, Spain, Sweden, Switzerland*, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland. Bangladesh subsequently joined the sponsors.

18. In connection with this draft resolution, the representative of the United Nations Information Service made a statement.

19. The draft resolution was adopted without a vote.

20. For the text as adopted, see chapter II, section A, resolution 1990/72.

21. At the same meeting, the representative of Italy introduced draft resolution E/CN.4/1990/L.79, sponsored by Australia*, Bulgaria, the Byelorussian Soviet Socialist Republic, Colombia, Finland*, France, Hungary, Iraq, Italy, the Philippines, Poland*, Sri Lanka, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics. Madagascar and Nigeria subsequently joined the sponsors.

22. The draft resolution was adopted without a vote.

23. For the text as adopted, see chapter II, section A, resolution 1990/73.

24. At the same meeting, the representative of Sweden introduced draft resolution E/CN.4/1990/L.81, sponsored by Angola*, Australia*, Austria*, Brazil, Canada, Egypt*, France, Germany, Federal Republic of, Norway*, Poland*, Portugal, Romania*, Senegal, Sweden, Venezuela and Yugoslavia. Czechoslovakia*, Denmark*, Finland*, Honduras*, Morocco, the Philippines, Sao Tome and Principe, Spain, Swaziland, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland subsequently joined the sponsors.

25. A statement in explanation of vote before the vote was made by the representative of the United States of America.

26. The draft resolution was adopted without a vote.

27. For the text as adopted, see chapter II, section A, resolution 1990/74.

28. At the 54th meeting, on 7 March 1990, the representative of Peru introduced draft resolution E/CN.4/1990/L.86, sponsored by Argentina, Bolivia*, Bulgaria, the Byelorussian Soviet Socialist Republic*, Canada, Colombia, France, Germany, Federal Republic of, Hungary, Ireland*, Italy, Madagascar, Peru, the Philippines, Portugal, Spain, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, Uruguay* and Venezuela. Afghanistan subsequently joined the sponsors.

29. A statement in explanation of vote before the vote was made by the representative of Cuba.

30. The representative of Cuba requested a vote on draft resolution E/CN.4/1990/L.86. At the request of the representative of Peru, the vote was taken by roll-call. The draft resolution was adopted by 41 votes to none, with 2 abstentions. The voting was as follows:

In favour: Argentina, Bangladesh, Belgium, Botswana, Brazil, Bulgaria, Canada, China, Colombia, Cyprus, Ethiopia, France, Gambia, Germany, Federal Republic of, Ghana, Hungary, India, Iraq, Italy, Japan, Madagascar, Mexico, Morocco, Nigeria, Pakistan, Panama, Peru, Philippines, Portugal, Sao Tome and Principe, Senegal, Somalia, Spain, Sri Lanka, Swaziland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yugoslavia.

Against: None.

Abstaining: Cuba, Sweden.

31. Statements in explanation of vote after the vote were made by the representatives of Mexico and Sweden.

32. For the text as adopted, see chapter II, section A, resolution 1990/75.

33. At the same meeting, the representative of Hungary introduced draft resolution E/CN.4/1990/L.87, sponsored by Austria*, the Gambia, Hungary, Swaziland, Sweden, Switzerland* and the Union of Soviet Socialist Republics. Czechoslovakia subsequently joined the sponsors.

34. The draft resolution was adopted without a vote.

35. For the text as adopted, see chapter II, section A, resolution 1990/76.

36. At the same meeting, the representative of Morocco introduced draft decision E/CN.4/1990/L.89, sponsored by Greece*, Ireland* and Morocco.

37. The draft decision was adopted without a vote.

38. For the text as adopted, see chapter II, section B, decision 1990/110.

39. At the same meeting, the Commission considered draft resolution I recommended by the Sub-Commission for adoption by the Commission (E/CN.4/1990/2, chap. I, sect. A).

40. The representative of Belgium proposed that consideration of draft resolution I, recommended by the Sub-Commission, be postponed to the forty-seventh session of the Commission. The proposal was seconded by the representative of the Philippines.

41. The Chairman orally proposed a draft decision, which was adopted without a vote.

42. For the text as adopted, see chapter I, section B, decision 1990/111.

43. In view of the adoption of the draft decision (see paras. 39-42), the Commission decided to take no action on draft resolution I.

- - - - -

(56)

UNITED NATIONS

E

Economic and Social Council

Distr.
LIMITED

E/CN.4/1990/L.10/Add.12
9 March 1990

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS

Forty-sixth session
Agenda item 27

DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Ross HYNES (Canada)

CONTENTS */

Chapter		Paragraphs	Page
XII.	Question of the violations of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories, including ...		
	A. Question of human rights in Cyprus		
	B. Study of situations which appear to reveal a consistent pattern of gross violations of human rights as provided in Commission resolution 8 (XXIII) and Economic and Social Council resolutions 1235 (XLII) and 1503 (XLVIII): report of the Working Group on situations established by the Commission at its forty-fifth session		

*/ E/CN.4/1990/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council will be contained in documents E/CN.4/1990/L.11 and addenda.

XII. QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

1. The Commission considered agenda item 12 and sub-item 12 (a) at its 30th meeting, held on 19 February 1990, at its 31st to 37th meetings, held from 20 to 23 February, at its 39th to 44th meetings, held from 26 to 28 February 1990, and at its 52nd and 54th meetings held on 6 and 7 March 1990. 2/ Sub-item 12 (b) was considered by the Commission in closed session, at its 24th to 26th meetings, held on 14 and 15 February and at its 54th meeting, held on 7 March 1990. 2/

2. In connection with the consideration of item 12, the Commission had before it the following documents:

Report of the Secretary-General to the General Assembly on human rights in southern Lebanon submitted pursuant to Commission on Human Rights resolution 1989/65 (A/44/573);

Note by the Secretary-General transmitting to the General Assembly the interim report on the situation of human rights in the Islamic Republic of Iran prepared by the Special Representative of the Commission on Human Rights (A/44/620);

Report of the Secretary-General on human rights and mass exoduses (A/44/622);

Note by the Secretary-General transmitting to the General Assembly the report on the protection of human rights in Chile prepared by the Special Rapporteur of the Commission on Human Rights (A/44/635);

Note by the Secretary-General transmitting to the General Assembly the report on the situation of human rights in Afghanistan prepared by the Special Rapporteur of the Commission on Human Rights (A/44/669);

Note by the Secretary-General transmitting to the General Assembly the report on the situation of human rights in El Salvador prepared by the Special Representative of the Commission on Human Rights (A/44/671);

Report on the question of human rights in Chile submitted by Mr. Fernando Volio Jiménez, Special Rapporteur, pursuant to the mandate conferred under resolution 1989/62 of the Commission on Human Rights (E/CN.4/1990/5);

Report of the Secretary-General submitted pursuant to Commission on Human Rights decision 1989/110 (E/CN.4/1990/21);

Report on summary or arbitrary executions submitted by the Special Rapporteur, Mr. S. Amos Wako, pursuant to Economic and Social Council resolution 1988/38 (E/CN.4/1990/22 and Add.1 and Corr.1);

Report on the human rights situation in the Islamic Republic of Iran by the Special Representative of the Commission on Human Rights, Mr. Reynaldo Galindo Pohl, pursuant to Commission resolution 1989/66 (E/CN.4/1990/24);

Report on the situation of human rights in Afghanistan prepared by the Special Rapporteur, Mr. Felix Ermacora, in accordance with Commission on Human Rights resolution 1989/67 (E/CN.4/1990/25);

Final report to the Commission on Human Rights on the situation of human rights in El Salvador, submitted by the Special Representative, Mr. José Antonio Pastor Ridruejo, in pursuance of the mandate conferred by Commission resolution 1989/68 (E/CN.4/1990/26);

Report of the Secretary-General submitted pursuant to Commission on Human Rights decision 1989/69 (E/CN.4/1990/27);

Report submitted on 18 December 1989 by Mr. Joseph Voyame, Special Rapporteur appointed in accordance with resolution 1989/75 of the Commission on Human Rights (E/CN.4/1990/28 and Add.1);

Letter dated 22 September 1989 from the Minister for Foreign Affairs of the Federal Republic of Germany addressed to the Chairman of the Commission on Human Rights (E/CN.4/1990/51);

Note by the Secretary-General submitted pursuant to Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1989/5 (E/CN.4/1990/52);

Note by the secretariat on Medium-Term Plan for the Period of 1992-1997 (E/CN.4/1990/54);

Letter dated 12 January 1990 from the Permanent Representative of the People's Republic of China to the United Nations addressed to the Secretary-General (E/CN.4/1990/55);

Letter dated 18 January 1990 from the Chargé d'affaires of the Permanent Mission of the Socialist People's Republic of Albania to the United Nations Office at Geneva, addressed to the Under-Secretary-General for Human Rights (E/CN.4/1990/57);

Note verbale dated 4 December 1989 from the Permanent Mission of Lebanon to the United Nations Office at Geneva addressed to the Centre for Human Rights (E/CN.4/1990/60);

Note verbale dated 19 December 1989 from the Permanent Mission of Lebanon to the United Nations Office at Geneva addressed to the Centre for Human Rights (E/CN.4/1990/61);

Note verbale dated 22 December 1989 from the Permanent Mission of Lebanon to the United Nations Office at Geneva addressed to the Centre for Human Rights (E/CN.4/1990/62);

Letter dated 22 January 1990 from the Permanent Representative of Democratic Kampuchea to the United Nations Office at Geneva, addressed to the Under-Secretary-General for Human Rights (E/CN.4/1990/63);

Note by the Secretary-General submitted pursuant to Commission on Human Rights decision 1989/112 (E/CN.4/1990/69);

Letter dated 31 January 1990 from the Minister of Foreign Affairs of Turkey to the United Nations Office at Geneva addressed to the Secretary-General (E/CN.4/1990/70);

Letter dated 16 February 1990 from the Minister of Foreign Affairs of Greece to the United Nations Office at Geneva addressed to the Secretary-General (E/CN.4/1990/73);

Letter dated 17 February 1990 from the Chargé d'affaires of the Permanent Mission of the Socialist People's Republic of Albania to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1990/74);

Letter dated 18 February 1990 from the Permanent Representative of the Mission of Cuba to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1990/76);

Letter dated 21 February 1990 from the Chargé d'affaires of the Permanent Mission of the Socialist People's Republic of Albania to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1990/78);

Letter dated 22 February 1990 from the Chargé d'affaires of the Permanent Mission of the Socialist People's Republic of Albania to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1990/80);

Letter dated 26 February 1990 from the Permanent Representative of Panama to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1990/81);

Letter dated 1 March 1990 from the Chargé d'affaires of the Permanent Mission of the Socialist People's Republic of Albania to the United Nations Office at Geneva addressed to the Chairman of the Commision on Human Rights (E/CN.4/1990/85);
Letter dated 22 February 1990 from the Permanent Representative of Turkey to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1990/87);
Letter dated 2 March 1990 from the Permanent Representative of Turkey to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1990/89);
Written statement submitted by Arab Lawyers' Union, a non-governmental organization in consultative status (category II) (E/CN.4/1990/NGO/1);
Written statement submitted by the Commission of the Churches on International Affairs, a non-governmental organization in consultative status (category II) (E/CN.4/1990/NGO/3);
Written statement submitted by the Minority Rights Group, a non-governmental organization on the Roster (E/CN.4/1990/NGO/9);
Written statement submitted by Liberation, a non-governmental organization on the Roster (E/CN.4/1990/NGO/10);
Written statement submitted by the World Federation of Trade Unions, a non-governmental organization in consultative status (category I) (E/CN.4/1990/NGO/15);
Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1990/NGO/19);
Written statement submitted by the International Federation Terre des Hommes, a non-governmental organization in consultative status (category II) (E/CN.4/1990/NGO/23);
Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I) (E/CN.4/1990/NGO/24);
Written statement submitted by the International League for the Rights and Liberation of Peoples, a non-governmental organization in consultative status (category II) (E/CN.4/1990/NGO/25);

Written statement submitted by the International League for the Rights and Liberation of Peoples, a non-governmental organization on the Roster (E/CN.4/1990/NGO/26);

Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I) (E/CN.4/1990/NGO/27);

Written statement submitted by the International League for the Rights and Liberation of Peoples, a non-governmental organization in consultative status on the Roster (E/CN.4/1990/NGO/31);

Written statement submitted by the International League for the Rights and Liberation of Peoples, a non-governmental organization on the Roster (E/CN.4/1990/NGO/32);

Written statement submitted by the International Movement for Fraternal Union Among Races and Peoples, a non-governmental organization in consultative status (category II) (E/CN.4/1990/NGO/34);

Written statement submitted by Amnesty International, a non-governmental organization in consultative status (category II) (E/CN.4/1990/NGO/35);

Written statement submitted by the Inter-Parliamentary Union, a non-governmental organization in consultative status (category I) (E/CN.4/1990/NGO/40);

Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1990/NGO/47);

Written statement submitted by Amnesty International, a non-governmental organization in consultative status (category II) (E/CN.4/1990/NGO/53);

Written statement submitted by Amnesty International, a non-governmental organization in consultative status (category II) (E/CN.4/1990/NGO/54);

Written statement submitted by the Institute of International Law, a non-governmental organization on the Roster (E/CN.4/1990/NGO/55);

Written statement submitted by the World Federation of Democratic Youth, a non-governmental organization in consultative status (category I) (E/CN.4/1990/NGO/58);

Written statement submitted by the World Federation of Trade Unions, a non-governmental organization in consultative status (category I) (E/CN.4/1990/NGO/60);
Written statement submitted by the World Federation of Trade Unions, a non-governmental organization in consultative status (category I) (E/CN.4/1990/NGO/62);
Written statement submitted by Survival International, a non-governmental organization in consultative status (category II) (E/CN.4/1990/NGO/63);
Written statement submitted by the International Union of Students, a non-governmental organization in consultative status (category II) (E/CN.4/1990/NGO/65);
Written statement submitted by the World Federation of Trade Unions, a non-governmental organization in consultative status (category I), the American Association of Jurists, the Andean Commission of Jurists, Human Rights Advocates, the International Association Against Torture, the International Commission of Jurists, the International Indian Treaty Council, the International League for Human Rights, the International Union of Students, the Latin American Federation of Association of Relatives of Disappeared Detainees, Pax Christi International, the World University Services, non-governmental organizations in consultative status (category II), and the Indian Council of South America, the International League for the Rights and Liberation of Peoples and Liberation, non-governmental organizations on the Roster (E/CN.4/1990/NGO/67);
Written statement submitted by the Indian Law Resource Centre, a non-governmental organization on the Roster (E/CN.4/1990/NGO/70);
[To be completed later] (E/CN.4/1990/NGO/71);
Written statement submitted by the Arab Lawyers Union, the Arab Organization for Human Rights, Human Rights Advocates, the International Commission of Health Professionals, the International Commission of Jurists, the International Federation of Human Rights, the International Fellowship of Reconciliation, the International League for Human Rights, the International League for the Rights and Liberation of Peoples, Pax Christi, Pax Romana and the Women's International League for Peace and Freedom, non-governmental organizations in consultative status (category II), Liberation, the

International Federation of Action of Christians for the Abolition of Torture, the Movement against Racism and for Friendship among Peoples and the Regional Council on Human Rights in Asia, non-governmental organizations on the Roster (E/CN.4/1990/NGO/73);

[To be completed later] (E/CN.4/1990/NGO/74);

[To be completed later] (E/CN.4/1990/NGO/75).

3. In the general debate on item 12 as a whole 3/, statements were made by the following members of the Commission: Brazil (42nd), Bulgaria (40th), Canada (40th), China (40th), Colombia (39th), Cuba (41st), Ethiopia (42nd), India (39th), Iraq (37th), Japan (42nd and 44th), Mexico (40th), Morocco (39th), Pakistan (41st), Peru (41st), Philippines (42nd), Somalia (42nd), Sri Lanka (33rd), Sweden (37th), Union of Soviet Socialist Republics (39th), United States of America (41st), Venezuela (40th), Yugoslavia (42nd).

4. The Commission also heard statements by the observers for: Afghanistan (41st), Angola (36th), Australia (42nd), Austria (41st), Bolivia (43rd), Burundi (39th), Cambodia (43rd), Czechoslovakia (35th), El Salvador (34th), Guatemala (39th), Indonesia (39th), Islamic Republic of Iran (43rd), Ireland (33rd - also on behalf of the European Community and its 12 Member States), Israel (43rd), Lebanon (35th), Nicaragua (43rd), Norway (42nd), Romania (42nd), Sudan (42nd), Switzerland (42nd), Syrian Arab Republic (35th), Turkey (42nd).

5. The Commission also heard a statement by the observer for Switzerland (42nd).

6. A statement was made by the United Nations High Commissioner for Refugees (36th).

7. A statement was also made by the representative of the International Labour Organisation (34th).

8. The Commission also heard statements by the following non-governmental organizations: American Association of Jurists (34th), Amnesty International (30th), Andean Commission of Jurists (30th), Arab Organization for Human Rights (31st), Baha'i International Community (43rd), Centre Europe-Tiers Monde (37th), Christian Democratic International (34th), Commission of the Churches on International Affairs of the World Council of Churches (36th), Disabled Peoples' International (43rd), Friends of the Earth (43rd), Grand Council of the Crees (of Quebec) (42nd), Greek Orthodox Archdiocesan Council of North

and South America (33rd), Habitat International Coalition (31st), Human Rights Advocates (31st), Indian Council of South America (42nd), International Association Against Torture (33rd), International Association for the Defence of Religious Liberty (33rd), International Association of Educators for World Peace (33rd), International Commission of Health Professionals for Health and Human Rights (31st), International Commission of Jurists (33rd), International Confederation of Free Trade Unions (37th), International Council of Voluntary Agencies (37th), International Falcon Movement - Socialist Educational International (43rd), International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities (43rd), International Federation of Free Journalists (33rd), International Federation Terre des Hommes (40th), International Federation for Human Rights (31st), International Human Rights Internship Program (44th), International Human Rights Law Group (36th), International Indian Treaty Council (43rd), International Institute of Humanitarian Law (40th), International League for Human Rights (35th), International League for the Rights and Liberation of Peoples (32nd), International Movement for Fraternal Union among Races and Peoples (37th), International Organization for the Elimination of All Forms of Racial Discrimination (39th), International Organization of Journalists (36th), International PEN (33rd), International Union of Students (40th), Latin American Federation of Associations of Relatives of Disappeared Detainees (36th), Liberal International (World Liberal Union) (37th), Liberation (32nd), Minority Rights Group (32nd), Movement against Racism and for Friendship among Peoples (34th), Pax Christi International (34th), Pax Romana (32nd), Regional Council on Human Rights in Asia (34th), Service, Justice and Peace in Latin America (34th), Survival International (34th), Union of Arab Jurists (42nd), Women's International League for Peace and Freedom (36th), World Association for World Federation (35th), World Confederation of Labour (37th), World Conference on Religion and Peace (35th), World Federation of Democratic Youth (35th), World Federation of Trade Unions (37th), World Muslim Congress (30th), World Student Christian Federation (40th) World Union for Progressive Judaism (31st) World University Service (33rd).

9. In addition joint statements were made by the following non-governmental organization: Grand Council of the Crees (of Quebec) (42nd) on behalf of: Four Directions Council, Grand Council of

the Crees (of Quebec), Indian Council of South America, International Organization of Indigenous Resources Development; Habitat International Coalition (43rd) on behalf of: Disabled Peoples' International, Friends of the Earth, Human Rights Advocates, International Association of Educators for World Peace, International Association for the Defence of Religious Liberty, International Commission of Jurists, International Council of Jewish Women, International Fellowship of Reconciliation, International League for Human Rights, International League for the Rights and Liberation of Peoples, International Organization for the Elimination of All Forms of Racial Discrimination, International Union of Students, Liberation, Minority Rights Group, Pax Christi International, Pax Romana, Regional Council of Human Rights in Asia, World University Service and the World Union for Progressive Judaism; International Fellowship of Reconciliation (37th) on behalf of: World University Service, World Conference on Religion and Peace, International Fellowship of Reconciliation, Pax Romana, Regional Council on Human Rights in Asia, International Union of Students and War Resisters International; International Organization for the Elimination of All Forms of Racial Discrimination (40th) on behalf of: Anti-Slavery Society, Arab Lawyers Union, Arab Organization for Human Rights, Centre Europe - Tiers Monde, Defence for Children International, Human Rights Advocates, Human Rights Internet, International Association of Penal Law, International Association for the Defence of Religious Liberty, International Association of Educators for World Peace, International Commission of Jurists, International Commission of Health Professionals for Health and Human Rights, International Federation for Human Rights, International Federation of Rural Adult Catholic Movement, International Fellowship of Reconciliation, International League for the Rights and Liberation of Peoples, International Peace Bureau, International PEN, Pax Christi International, Pax Romana, Service, Peace and Justice in Latin America, Union of Arab Jurists, World Confederation of Labour and the World Union for Progressive Judaism.

10. The Chairman was subsequently notified by the International Federation for Human Rights and the World Union for Progressive Judaism that these two non-governmental organizations never intended to join the

joint statement made by the International Organization for the Elimination of All Forms of Racial Discrimination at the 40th meeting, on 26 February 1990 (See para. 8.).

11. Statements in right of reply or equivalent to right of reply were made by the representatives of China (33rd), Cuba (34th and 43rd), India (34th and 42nd), Iraq (33rd and 42nd), Pakistan (42nd), the Philippines (35th, 39th, 42nd and 44th), Sri Lanka (30th, 34th and 39th), Yugoslavia (39th); by the observers for Cambodia (39th), El Salvador (39th), Greece (43rd and 44th), Indonesia (34th and 43rd), Iran, Islamic Republic of (43rd), Kenya (39th), Liberia (40th), the Libyan Arab Jamahiriya (42nd), Myanmar (Union of) (42nd), Saudi Arabia (33rd), Sudan (34th, 35th, 42nd and 44th), the Syrian Arab Republic (39th, 42nd and 43rd), Turkey (44th) and Viet Nam (39th and 42nd); and by the observers for the Democratic People's Republic of Korea (42nd, 43rd and 44th) and the Republic of Korea (44th).

Situation of human rights in Cuba

12. On 26 February 1990, a draft resolution (E/CN.4/1990/L.36) was submitted by the United States of America, reading as follows:

"The Commission on Human Rights,

"Recalling the report of the mission which took place in Cuba in accordance with Commission decision 1988/106 (E/CN.4/1989/46 and Corr.1),

"Aware that this report contains questions and issues which have not been fully addressed, as well as testimonies from hundreds of individuals concerning the question of human rights in Cuba,

"Recalling also decision 1989/113 of 9 March 1989, in which it requested the Secretary-General to maintain contacts with the Government of Cuba on the issues and questions contained in the report,

"Noting the letter of the Secretary-General to the Commission dated 29 January 1990, in which the Secretary-General informed the Commission that he has been maintaining ongoing contacts, both written and oral, with the Government of Cuba on this matter,

"Gravely concerned by reports that witnesses who testified before the Commission's working group have since been subject to arrest, harassment, or other forms of reprisals by the Government of Cuba,

"Profoundly aware of its responsibility to defend and support those who have put their faith in this body and its representatives in promoting and protecting human rights and fundamental freedoms,

"1. Calls upon the Government of Cuba to honour its repeated guarantees to the representtives of the Commission who visited Cuba pursuant to decision 1988/106 that individuals who attempted to present information to these representatives would not be subject to reprisals, detention, or negative consequences of any nature whatsoever;

"2. Calls upon once again the Government of Cuba to provide the Commission, at its forty-seventh session, with a response to the unanswered questions put to the Cuban authorities by representatives of this Commission (E/CN.4/1989/46, annex XVI) and to questions related to the documents listed in annex III of the report;

"3. Requests the Secretary-General to provide the Commission, at its forty-seventh session, with the texts and results of his oral and written contacts maintained with the Government of Cuba pursuant to decision 1989/113;

"4. Decides to continue its consideration of the question of the situation of human rights in Cuba at its forty-seventh session under the agenda item entitled 'Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories'."

13. At the 52nd meeting, on 6 March 1990, the representative of the United States of America introduced a revised draft resolution (E/CN.4/1990/L.36/Rev.1) sponsored by Belgium, the Federal Republic of Germany, Japan, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Czechoslovakia*, Denmark*, Ireland*, Luxembourg*, the Netherlands*, Norway*, Panama, Poland* and Portugal subsequently joined the sponsors.

14. Statements relating to draft resolution E/CN.4/1990/L.36/Rev.1 were made by the representative of Cuba and the observer for Czechoslovakia.

15. A statement in explanation of vote before the vote was made by the representative of Mexico.

16. At the request of the representative of Cuba, a roll-call vote was taken on draft resolution E/CN.4/1990/L.36/Rev.1. The draft resolution was adopted by 19 votes to 12, with 12 abstentions. The voting was as follows:

In favour: Bangladesh, Belgium, Bulgaria, Canada, France, Gambia, Germany, Federal Republic of, Hungary, Italy, Japan, Morocco, Panama, Philippines, Portugal, Senegal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: China, Cuba, Cyprus, Ethiopia, Ghana, India, Iraq, Mexico, Sri Lanka, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia.

Abstaining: Argentina, Botswana, Brazil, Colombia, Madagascar, Nigeria, Pakistan, Peru, Sao Tome and Principe, Somalia, Swaziland, Venezuela.

17. Statements in explanation of vote after the vote were made by the representatives of Brazil, Cuba, Sweden and the Union of Soviet Socialist Republics.

18. For the text as adopted, see chapter II, section A, resolution 1990/48.

Situation in China

19. In connection with this matter, the Commission had before it the following documents: E/CN.4/1990/52, E/CN.4/1990/55, E/CN.4/1990/NGO/9.

20. On 28 February 1990, a draft resolution (E/CN.4/1990/L.47) was submitted by Australia*, Belgium, Canada, Denmark*, France, Germany, Federal Republic of, Greece*, Ireland*, Italy, Japan, Luxembourg*, the Netherlands*, Norway*, Portugal, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

21. At the 52nd meeting, on 6 March 1990, statements relating to the draft resolution were made by the representatives of China and Pakistan.

22. The representative of Pakistan moved, under rule 65, paragraph 2, of the rules of procedure of the functional commissions of the Economic and Social Council, that the Commission take no decision on draft resolution E/CN.4/1990/L.47.

23. Statements relating to the motion were made by the representatives of Cuba, the Federal Republic of Germany, Somalia, Sweden and the United States of America.

24. The representative of Pakistan requested a roll-call vote on the motion, which was adopted by 17 votes to 15, with 11 abstentions. The voting was as follows:

In favour: Bangladesh, China, Cuba, Cyprus, Ethiopia, Ghana, India, Iraq, Madagascar, Nigeria, Pakistan, Sao Tome and Principe, Somalia, Sri Lanka, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia.

Against: Belgium, Bulgaria, Canada, France, Germany, Federal Republic of, Hungary, Italy, Japan, Panama, Portugal, Spain, Swaziland, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Botswana, Brazil, Colombia, Gambia, Mexico, Morocco, Peru, Philippines, Senegal, Venezuela.

25. For the text of the decision, see chapter II, section B, decision 1990/106.

Situation of human rights in Albania

26. In connection with this matter, the Commission had before it the following documents: E/CN.4/1990/27, E/CN.4/1990/57, E/CN.4/1990/74, E/CN.4/1990/78, E/CN.4/1990/80.

27. At the 52nd meeting, on 6 March 1990, the representative of Portugal introduced draft resolution E/CN.4/1990/L.53, sponsored by Belgium, Canada, Luxembourg*, Morocco, the Netherlands*, Portugal, Sweden and United Kingdom of Great Britain and Northern Ireland. The United States of America subsequently joined the sponsors.

28. The representative of Cuba requested a vote on draft resolution E/CN.4/1990/L.53.

29. The draft resolution was adopted by 27 votes to 3, with 12 abstentions.

30. For the text as adopted, see chapter II, section A, resolution 1990/49.

Human rights situation in Romania

31. In connection with this matter, the Commission had before it document E/CN.4/1990/28 and Add.1.

32. At the 41st meeting, on 27 February 1990, the Special Rapporteur, Mr. J. Voyame, introduced his report (E/CN.4/1990/28 and Add.1) to the Commission.

33. On 1 March 1990, a draft resolution (E/CN.4/1990/L.60) was submitted by Australia*, Canada, France, Germany, Federal Republic of, Hungary, Luxembourg*, Netherlands*, Portugal, Sweden and United Kingdom of Great Britain and Northern Ireland, reading as follows:

"The Commission on Human Rights,

"Guided by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

"Reaffirming that the Governments of all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the relevant international instruments,

"Recalling its resolution 1989/75 establishing a special rapporteur with the mandate to examine the human rights situation in Romania,

"Recognizing that recent events have created new and improved prospects for the human rights situation in that country,

"Recognizing also the need to promote a climate favourable to establishing a social order based on full respect for human rights in Romania,

"Welcoming the positive attitude of the Government of Romania towards the Special Rapporteur and its willingness to continue to co-operate with him,

"Convinced that the continued services of the Special Rapporteur will be of benefit to the Government of Romania and people during the present period of transition towards full respect for human rights and fundamental freedoms in Roman

"1. Takes note with appreciation of the reports of the Special Rapporteur (E/CN.4/1990/28 and Add.1);

"2. Takes note of the considerable improvement in respect for human rights that has taken place in Romania;

"3. Recommends that the Romanian authorities continue their action to ensure that human rights in all their aspects are respected in their country, both de jure and de facto, and pay particular attention to the points raised in the Special Rapporteur's latter report (E/CN.4/1990/28/Add.1);

"4. Also recommends that the Romanian authorities consider the possibility of using the United Nations Voluntary Fund for Advisory Services as suggested by the Special Rapporteur in his report;

"5. Decides to extend the mandate of the Special Rapporteur for a further year;

"6. Requests the Special Rapporteur to report to the Commission at its forty-seventh session;

"7. Takes note with appreciation of the readiness of the Government of Romania to co-operate with the Commission and its Special Rapporteur;

"8. Requests the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur to enable him to carry out his mandate in the best possible conditions;

"9. Decides to continue its consideration of the human rights situation in Romania at its forty-seventh session under the agenda item entitled 'Questions of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories'."

34. At the 52nd meeting, on 6 March 1990, the representative of Sweden introduced a revised draft resolution (E/CN.4/1990/L.60/Rev.1), sponsored by Australia*, Canada, France, Germany, Federal Republic of, Hungary, Luxembourg*, the Netherlands*, Portugal, Sweden and the United Kingdom of Great Britain and Northern Ireland.

35. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1990/L.64) of draft resolution E/CN.4/1990/L.60/Rev.1. 1/

36. At the same meeting, the draft resolution was adopted without a vote.

37. For the text as adopted, see chapter II, section A, resolution 1990/50.

38. Subsequent to the adoption of the resolution, a statement was made by the observer for Romania.

Summary or arbitrary executions

39. In connection with this matter, the Commission had before it the following documents: E/CN.4/1990/22 and Corr.1 and Add.1, E/CN.4/1990/NGO/62, E/CN.4/1990/NGO/73.

40. At the 34th meeting, on 21 February 1990, the Special Rapporteur, Mr. S.A. Wako, introduced his report (E/CN.4/1990/22 and Corr.1 and Add.1) to the Commission.

41. At the 52nd meeting, on 6 March 1990, the representative of Sweden introduced draft resolution E/CN.4/1990/L.67, sponsored by Belgium, Canada, Cyprus, Denmark*, Finland*, France, the Gambia, Greece*, Italy, Luxembourg*, the Netherlands*, New Zealand*, Norway*, Spain, Sweden, Switzerland*, Togo* and the United Kingdom of Great Britain and Northern Ireland.

42. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1990/L.93) of draft resolution E/CN.4/1990/L.67. 1/

43. At the same meeting, the draft resolution was adopted without a vote.

44. For the text as adopted, see chapter II, section A, resolution 1990/51.

Human rights and mass exoduses

45. In connection with this matter, the Commission had before it the following documents: A/44/622 and E/CN.4/1990/NGO/3.

46. At the 52nd meeting, on 6 March 1990, the representative of Canada introduced draft resolution E/CN.4/1990/L.74, sponsored by Australia*, Brazil, Canada, Colombia, Costa Rica*, Côte d'Ivoire*, France, the Gambia, Germany, Federal Republic of, Hungary, Ireland*, Italy, Japan, Jordan*, Morocco, New Zealand*, Norway*, Pakistan, the Philippines, Poland*, Senegal, Sweden, Turkey* and the United States of America. Austria* subsequently joined the sponsors.

47. At the same meeting, the draft resolution was adopted without a vote.

48. For the text as adopted, see chapter II, section A, resolution 1990/52.

Situation of human rights in Afghanistan

49. In connection with this matter, the Commission had before it the following documents: A/44/669 and E/CN.4/1990/25.

50. At the 31st meeting, on 20 February 1990, the Special Rapporteur, Mr. F. Ermacora, introduced his report (E/CN.4/1990/25) to the Commission.

51. At the 52nd meeting, on 6 March 1990, the representative of Italy introduced draft resolution E/CN.4/1990/L.80, sponsored by Australia*, Belgium, Canada, Denmark*, France, Germany, Federal Republic of, Greece*, Ireland*, Italy, Japan, Luxembourg*, the Netherlands*, Norway*, Portugal, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland.

52. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1990/L.91) of draft resolution E/CN.4/1990/L.80. 1/

53. At the same meeting, the draft resolution was adopted without a vote.

54. For the text as adopted, see chapter II, section A, resolution 1990/53.

Situation of human rights in southern Lebanon

55. In connection with this matter, the Commission had before it the following documents: A/44/570, E/CN.4/1990/60, E/CN.4/1990/61, E/CN.4/1990/63, E/CN.4/1990/NGO/24.

56. At the 52nd meeting, on 6 March 1990, the observer for Lebanon introduced draft resolution E/CN.4/1990/L.84, sponsored by Bahrain*, Bangladesh, the Byelorussian Soviet Socialist Republic*, Democratic Yemen*, Egypt*, India, the Islamic Republic of Iran*, Jordan*, Kuwait*, Lebanon*, Morocco, Pakistan, Qatar*, Somalia, Sudan* and the Ukrainian Soviet Socialist Republic. Algeria*, Cuba, Saudi Arabia* and Tunisia* subsequently joined the sponsors.

57. Statements relating to the draft resolution were made by the representatives of the Syrian Arab Republic and the United States of America and by the observer for Israel.

58. The representative of the United States of America requested a roll-call vote on draft resolution E/CN.4/1990/L.84. The draft resolution was adopted by 41 votes to 1, with 1 abstention. The voting was as follows:

In favour: Argentina, Bangladesh, Belgium, Botswana, Brazil, Bulgaria, Canada, China, Colombia, Cuba, Cyprus, Ethiopia, France, Gambia, Germany, Federal Republic of, Ghana, Hungary, India, Iraq, Italy, Japan, Madagascar, Mexico, Morocco, Nigeria, Pakistan, Panama, Peru, Philippines, Portugal, Sao Tome and Principe, Senegal, Somalia, Spain, Sri Lanka, Sweden, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Venezuela and Yugoslavia.

Against: United States of America.

Abstaining: Swaziland.

59. For the text as adopted, see chapter II, section A, resolution 1990/54.

60. Subsequent to the adoption of the resolution, statements were made by the representative of the Syrian Arab Republic and by the observer for Lebanon.

Situation of human rights in Guatemala

61. In connection with this matter, the Commission had before it the following documents: E/CN.4/1990/NGO/47 and E/CN.4/1990/NGO/53.

62. On 28 February 1990, a draft resolution (E/CN.4/1990/L.52) was submitted by Australia*, Canada, Denmark*, Ireland*, Luxembourg*, the Netherlands*, Norway* and Sweden, reading as follows:

"The Commission on Human Rights,

"Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

"Reiterating that the Governments of all Member States have an obligation to promote and protect human rights and fundamental freedoms,

"Recalling past resolutions on the situation of human rights in Guatemala,

"Having considered the report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1990/13) the report of the Special Rapporteur on summary or arbitrary executions (E/CN.4/1990/22), the report of the Special Rapporteur on torture (E/CN.4/1990/17) and the report of the Expert, Mr. Hector Gros Espiell (E/CN.4/1990/45),

"1. Expresses its appreciation to the Government of Guatemala for its collaboration with the Commission on Human Rights, as well as the facilities and co-operation afforded to the Expert;

"2. Recognizes that the Government of Guatemala has reiterated its commitment to guarantee and promote the protection of human rights and fundamental freedoms;

"3. Expresses its serious concern at the continuing reports of serious violations of human rights in Guatemala;

"4. Decides to request its Chairman to appoint, after consultations with the Bureau, a representative of the Commission with the mandate to study the situation of human rights in Guatemala;

"5. Authorizes the representative to seek relevant information from the Government of Guatemala, specialized agencies and intergovernmental and non-governmental organizations;

"6. Requests the representative to present a preliminary report to the General Assembly at its forty-fifth session, and a report to the Commission at its forty-seventh session;

"7. Urges the Government of Guatemala to extend its co-operation to the Commission and its representative;

"8. Requests the Secretary-General to provide all necessary assistance to the representative to enable him or her to carry out his or her mandate in the best possible conditions;

"9. Decides to continue its consideration of the human rights situation in Guatemala at its forty-seventh session under the agenda item entitled 'Questions of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories'."

63. On 2 March 1990, a revised draft resolution (E/CN.4/1990/L.52/Rev.1) was submitted by Australia*, Canada, Denmark*, Ireland*, Luxembourg*, the Netherlands*, Norway*, Spain and Sweden. The text of this draft was identical to that of draft resolution E/CN.4/1990/L.52.

64. At the 54th meeting, on 7 March 1990, the representative of Sweden, on behalf of the sponsors, withdrew the draft resolution contained in document E/CN.4/1990/L.52/Rev.1.

Situation of human rights in El Salvador

65. In connection with this matter, the Commission had before it the following documents: A/44/671, E/CN.4/1990/26, E/CN.4/1990/NGO/25, E/CN.4/1990/NGO/27, E/CN.4/1990/NGO/60.

66. At the 30th meeting, on 19 February 1990, the Special Rapporteur, Mr. J. A. Pastor Ridruejo, introduced his report (E/CN.4/1990/26) to the Commission.

67. On 2 March 1990, a draft resolution (E/CN.4/1990/L.75) was submitted by Argentina, Brazil, Colombia, Mexico, Peru and Venezuela, which read as follows:

"The Commission on Human Rights,

"Guided by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, and by the humanitarian standards laid down in the Geneva Conventions of 12 August 1949 and Additional Protocol II thereto of 1977,

"Reaffirming that the Governments of all Member States have a duty to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have assumed under the relevant international instruments,

"Noting with satisfaction that the Special Representative indicates in his report (E/CN.4/1990/26) that respect for human rights and dialogue for peace are fundamental components of the policy of the Government of El Salvador, although he points out that that policy has not yet yielded the desired results,

"Recalling that, since 1980, the General Assembly has been expressing its deep concern at the situation of human rights in El Salvador, as stated in its resolution 44/165 of 15 December 1989,

"Bearing in mind Commission resolution 32 (XXXVII) of 1 March 1981, in which it decided to appoint a Special Representative on the situation of human rights in El Salvador, and subsequent resolutions on this question, including resolution 1989/68 of 8 March 1989, whereby it extended the mandate of the Special Representative for another year,

"Considering that the continuing armed conflict in El Salvador is of a non-international character and that the parties involved are under an obligation to apply the minimum standards of protection of human rights and humanitarian treatment provided for in article 3 common to the Geneva Conventions of 1949 and in Additional Protocol II thereto of 1977,

"Alarmed that, despite the encouraging signs that emerged from the meetings which were held at Mexico City and San José, Costa Rica, in September and October 1989 with the participation of the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional, the worsening of the conflict and the resurgence of violence have seriously affected the enjoyment of human rights and fundamental freedoms of the Salvadorian people,

"Deeply concerned that, as indicated by the Special Representative, the number of serious and even mass violations of human rights committed for political motives is continuing to rise and that, in particular, there has been a recrudescence of torture, detentions and summary executions have increased, and disappearances, abductions, attacks on the economic infrastructure and breaches of the humanitarian standards applicable to warfare have continued,

"Highly indignant at the mass murder of the Rector of the Central American University, five professors and two members of the domestic staff on 16 November 1989 by members of the armed forces,

"Concerned that, in the context of the Salvadorian conflict, the Special Representative indicates in his report that numerous sources continue to ascribe responsibility for summary executions and other grave human rights violations to the so-called 'death squads',

"Also concerned that, in the context of the Salvadorian conflict, the Special Representative draws attention in his report to the occurrence of indiscriminate actions in towns and cities, resulting in deaths and injuries to civilians, carried out by the Frente Farabundo Martí para la Liberación Nacional, and to actions by violent commandos independent of the FMLN,

"Regretting that there has been a disturbing increase in attacks and threats against various members of the ecclesiastical hierarchy, numerous leaders, members and headquarters of political, trade union and peasant organizations, relatives of members of the armed forces and civil servants and their relatives,

"Observing that legal proceedings have been instituted in respect of some summary executions, including that of the members of the Central American University, but that there has been no progress in the case of the murder of Monsignor Romero in 1980 and that there is an urgent need to find and punish those responsible for many other recent human rights violations, such as the murders of the Minister of the Office of the President, the Government Attorney and high-ranking political leaders and the fatal mass attack against a trade union federation,

"Convinced that fulfilment of the commitments assumed by the Government of El Salvador in the agreement on "Procedure for the establishment of a firm and lasting peace in Central America" (Esquipulas II) and in the joint declarations of the five Central American Presidents (Alajuela, Costa Rica; Costa del Sol, El Salvador; Tela, Honduras; and San Isidro de Coronado, Costa Rica) provide the necessary framework for the promotion, respect and realization of human rights and fundamental freedoms and will contribute decisively to encouraging the democratization and strengthening of the peace process in the region,

"Noting with approval that, on the basis of Security Council resolution 637 (1989), the Secretary-General of the United Nations has begun to lend his good offices to the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional with a view to the resumption and successful conclusion of the process of dialogue,

"Aware that the process of pursuing a political solution to the Salvadorian conflict can be cut short if external forces do not support the achievement of fair and lasting agreements but instead seek in any way to intensify or prolong the armed conflict, with ensuing grave effects on the situation of human rights and economic recovery in El Salvador,

"1. Commends the Special Representative for his report on the situation of human rights in El Salvador (E/CN.4/1990/26);

"2. Expresses its serious concern at the increase in the number of grave, politically motivated violations of human rights, such as summary executions, torture and abductions, and at the persistence of enforced disappearances;

"3. Also expresses its deepest concern at the worsening of the armed conflict, which in November 1989, led to a fresh outbreak of violence, bombings and the indiscriminate use of heavy weapons in densely populated areas, causing numerous civilian casualties and substantial damage;

"4. Also expresses its serious concern at the systematic attacks on the economic infrastructure, which severely impair the present and future enjoyment of important economic, social and cultural rights by the Salvadorian people;

"5. Condemns the murder of the Rector and seven other members of the Central American University, acknowledges that the Government of El Salvador has brought several persons suspected of perpetrating this abominable crime before the courts and hopes that it will continue to investigate this crime in order that all the culprits may be punished;

"6. Regrets the fact that the so-called 'death squads' in El Salvador are continuing to commit serious human rights violations with impunity;

"7. Also regrets that the indiscriminate actions by the Frente Farabundo Martí para la Liberación Nacional in towns and cities, as well as the actions by violent commandos independent of the FMLN, also represent serious and unpunished violations of human rights;

"8. Also expresses its deep concern at the continued unsatisfactory capacity of the judicial system, despite the efforts of the Government of El Salvador to determine the responsibility of persons committing serious

violations of human rights, and therefore urges the competent authorities to hasten the adoption of the reforms and measures necessary for ensuring its efficiency;

"9. Calls upon the Government of El Salvador, the Frente Farabundo Martí para la Liberación Nacional and all the country's political powers, agencies and forces to take immediate measures, as recommended by the Special Representative, to put an end to attempts on human life, integrity and dignity, both in non-combat situations and in or as a result of combat;

"10. Requests the parties to the conflict to guarantee respect for the humanitarian standards applicable to non-international armed conflicts such as that in El Salvador, especially to protect the civilian population, the war-wounded and persons deprived of their freedom for reasons connected with the conflict, at all times to allow the immediate evacuation of war-wounded and war-injured for prompt medical attention, and under all circumstances to provide any type of support needed from either of the parties by medical or health staff in order to conduct their activities;

"11. Offers its full support to the good offices mission of the Secretary-General of the United Nations with a view to achieving the resumption and successful conclusion of the dialogue between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional, on the basis of Security Council resolution 637 (1989);

"12. Strongly appeals to the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to use the good offices of the Secretary-General to endeavour to achieve, as rapidly as possible, a negotiated political solution to the armed conflict that will encourage the existence and strengthening of a democratic, pluralist and participatory process involving the promotion and respect of the human rights of the Salvadorian people, in particular the right freely to choose its own political, economic and social system without external interference of any kind;

"13. Reiterates its appeal to all States to refrain from intervening in the internal situation in El Salvador and, instead of helping in any way to prolong and intensify the armed conflict, to encourage the conclusion of a just and lasting peace;

"14. Repeats its request that the bodies and organizations of the United Nations system, on the basis of General Assembly resolution 44/165 and Commission on Human Rights resolution 1989/68, should provide such advice and assistance in the promotion and protection of human rights and fundamental freedoms as the Government of El Salvador may request from them;

"15. Notes with satisfaction that, with the consent of the Government, there have been a number of mass returns of refugees who have decided of their own free will to resettle in rural areas of conflict, and urges the competent authorities to make every effort to ensure that such persons are assisted in respect of their most basic needs and to prevent acts of violence against them or their settlements;

"16. Decides to consider at its forty-seventh session the situation of human rights in El Salvador and the mandate of the Special Representative, taking account of developments in the situation of human rights in that country;

"17. Decides to extend the mandate of the Special Representative for another year and requests him to submit his report on further developments in the situation of human rights in El Salvador to the General Assembly at its forty-fifth session and to the Commission on Human Rights at its forty-seventh session."

68. At the 54th meeting, on 7 March 1990, the representative of Peru introduced a revised draft resolution (E/CN.4/1990/L.75/Rev.1.) sponsored by Argentina, Brazil, Colombia, France, Greece*, Ireland*, Mexico, Peru, Spain and Venezuela. Belgium, Portugal and Uruguay subsequently joined the sponsors.

69. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1990/L.92) of draft resolution E/CN.4/1990/L.75/Rev.1.

70. A statement relating to the draft resolution was made by the representative of Senegal.

71. At the same meeting the draft resolution was adopted without a vote.

72. A statement in explanation of vote after the vote was made by the representative of the United States of America.

73. For the text as adopted, see chapter II, section A, resolution 1990/77.

74. Subsequent to the adoption of the resolution, a statement was made by the observer for El Salvador.

Situation of human rights in Chile

75. In connection with this matter, the Commission had before it the following documents: A/44/635, E/CN.4/1990/5, E/CN.4/1990/51, E/CN.4/1990/NGO/15.

76. At the 39th meeting, on 26 February 1990, the Special Rapporteur Mr. F. Volio Jiménez introduced his report (E/CN.4/1990/5) to the Commission.

77. At the 54th meeting, on 7 March 1990, the representative of Mexico introduced draft resolution E/CN.4/1990/L.94, sponsored by Australia*, Colombia, Denmark*, France, Greece*, Luxembourg*, Mexico, the Netherlands*, Norway*, Portugal, Spain, Sweden, and Venezuela. Cuba, Peru and Uruguay* subsequently joined the sponsors.

78. A statement relating to the draft resolution was made by the representative of Senegal.

79. The draft resolution was adopted without a vote.

80. A statement in explanation of vote after the vote was made by the representative of the United States of America.

81. For the text as adopted, see chapter II, section A, resolution 1990/78.

Situation of human rights in the Islamic Republic of Iran

82. In connection with this matter, the Commission had before it the following documents: A/44/620, E/CN.4/1990/24, E/CN.4/1990/NGO/35.

83. At the 41st meeting, on 27 February 1990, the Special Rapporteur, Mr. R. Galindo Pohl, introduced his report (E/CN.4/1990/24) to the Commission.

84. On 5 March 1990, a draft resolution (E/CN.4/1990/L.98) was submitted by Australia*, Belgium, Canada, Denmark*, France, Germany, Federal Republic of, Greece*, Ireland*, Italy, Luxembourg*, the Netherlands*, Norway*, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland.

85. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1990/L.103) of draft resolution E/CN.4/1990/L.98.

86. Statements relating to the draft resolution were made by the representatives of the Federal Republic of Germany, Japan, Senegal and the United States of America, and by the observers for Austria and the Islamic Republic of Iran.

87. At the same meeting, the draft resolution was adopted without a vote.

88. A statement in explanation of vote after the vote was made by the representative of the United Kingdom of Great Britain and Northern Ireland.

89. For the text as adopted, see chapter II, section A, resolution 1990/79.

90. Subsequent to the adoption of the resolution, a statement was made by the observer for the Islamic Republic of Iran.

A. Question of human rights in Cyprus

91. In connection with agenda item 12 (a), the Commission had before it document E/CN.4/1990/21.

92. Statements were made by the following members of the Commission: Argentina (40th), Bostwana (36th), Bulgaria (31st), China (42nd), Cuba (31st), Cyprus (31st), Ethiopia (31st), Ghana (37th), Greece (39th), India (31st), Japan (42nd), Madagascar (39th), Mexico (40th), Nigeria (31st), Pakistan (41st), Sri Lanka (31st), Ukrainian Soviet Socialist Republic (31st), Union of Soviet Socialist Republics (39th), Yugoslavia (31st).

93. The Commission also heard statments by the observers for: Algeria (43rd), Angola (36th), Austria (41st), Bolivia (43rd), Czechoslovakia (35th), Greece (39th), Ireland (33rd - on behalf of the European Community), Syrian Arab Republic (35th).

94. A statement was also made by the Greek Orthodox Archdiocesan Council of North and South America (33rd).

95. Statements equivalent to right of reply were made by the observers for Cyprus (40th), Greece (43rd) and Turkey (39th and 44th).

96. At the 44th meeting, on 28 February 1990, the Chairman proposed that the debate on item 12 (a) should be postponed to the forty-seventh session of the Commission and be given due priority at that session, it being understood that action required by previous resolutions of the Commission on that subject would continue to remain operative, including the request to the Secretary-General that he provide a report to the Commission regarding their implementation. The observer for Turkey requested that his reservations with regard to the previous resolutions of the Commission be placed on record.

97. The Commission adopted the draft decision without a vote.

98. For the text as adopted, see chapter II, section B, decision 1990/104.

B. Study of situations which appear to reveal a consistent pattern of gross violations of human rights as provided in Commission resolution 8 (XXIII) and Economic and Social Council resolutions 1235 (XLII) and 1503 (XLVIII): report of the Working Group on Situations established by the Commission at its forty-fifth session

99. The Commission considered sub-item 12 (b) in closed session at its 24th meeting, held on 14 February, at its 25th to 26th meetings, held on 15 February, and at its 54th meeting, held on 7 March 1990. It examined the human rights situations in Brunei Darussalam, Haiti, Myanmar, Paraguay and

Somalia under Economic and Social Council resolution 1503 (XLVIII), as publicly announced by the Chairman after the closed part of the 26th and 54th meetings. The Chairman also announced that the human rights situations in Brunei Darussalam, Haiti and Paraguay were no longer under consideration by the Commission under Council resolution 1503 (XLVIII).

100. The Chairman reminded the members of the Commission that, in conformity with paragraph 8 of Council resolution 1503 (XLVIII), they should not make any reference in public debate to the confidential decisions taken under Council resolution 1503 (XLVIII) nor to any confidential material relating thereto.

101. Since 1974, the Commission has annually, with the approval of the Economic and Social Council, set up a working group (Working Group on Situations) to assist the Commission in discharging its functions under the procedure governed by Council resolution 1503 (XLVIII). At its 53rd meeting, on 7 March 1990, the Commission adopted a resolution, in the form of a draft resolution for adoption by the Economic and Social Council, which envisages the establishment of the Working Group on Situations on a regular basis, instead of on an ad hoc basis as has been the practice hitherto (see chap. II, sect. A, resolution 1990/55 and chap. I, sect. A, draft resolution ....).

102. At the .... meeting, on .....1990, the Chairman announced that, in accordance with rule 21 of the rules of procedure of the functional commissions of the Economic and Social Council, and after consultations with the regional groups, the following members of the Commission had been designated to serve in their personal capacity on the Working Group on Situations meeting prior to its forty-seventh session in 1991, subject to the approval by the Economic and Social Council of the draft resolution referred to in paragraph 3 above:

.....

.....

.....

.....

.....

[To be completed later]

---

(57)

UNITED NATIONS

E

Economic and Social Council

Distr.
LIMITED

E/CN.4/1990/L.10/Add.13
7 March 1990

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 27

DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Ross HYNES (Canada)

CONTENTS */

Chapter		Paragraphs	Page
XIII.	Measures to improve the situation and ensure the human rights and dignity of all migrant workers		

*/ E/CN.4/1990/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council will be contained in documents E/CN.4/1990/L.11 and addenda.

GE.90-11695/5612A

XIII. MEASURES TO IMPROVE THE SITUATION AND ENSURE THE HUMAN RIGHTS AND DIGNITY OF ALL MIGRANT WORKERS.

1. The Commission considered agenda item 13 at its 51st and 52nd meetings, held on 6 March 1990.

2. The Commission had before it the following documents:

Reports of the General Assembly's Working Group on the Drafting of an International Convention on the Protection of the Rights of All Migrant Workers and Their Families (A/C.3/44/1 and A/C.3/44/4);

Report on the International Seminar on Cultural Dialogue Between the Countries of Origin and the Host Countries of Migrant Workers (E/CN.4/1990/50).

3. In the general debate on this item, 3/ statements were made by the following members of the Commission: Mexico (51st), Philippines (51st).

4. The Commission also heard statements by the observers for: Algeria (51st), Finland (51st), Tunisia (51st).

5. A statement was also made by the International Indian Treaty Council (51st).

6. At the 52nd meeting, on 6 March 1990, the representative of Mexico introduced draft resolution E/CN.4/1990/L.59, sponsored by Algeria*, Argentina, Bangladesh, Bolivia*, Brazil, China, Colombia, Cuba, Egypt*, Greece*, India, Italy, Mexico, Morocco, Nicaragua*, Pakistan, Peru, the Philippines, Portugal, Senegal, Tunisia*, Turkey*, Yugoslavia. Lebanon* and Madagascar subsequently joined the sponsors.

7. The draft resolution was adopted without a vote.

8. A statement in explanation of vote after the vote was made by the representative of the Federal Republic of Germany.

9. For the text as adopted, see chapter II, section A, resolution 1990/44.

UNITED
NATIONS

E

Economic and Social
Council

Distr.
LIMITED

E/CN.4/1990/L.10/Add.14
7 March 1990

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 27

DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Ross HYNES (Canada)

CONTENTS */

Chapter		Paragraphs	Page
XIV.	Human rights and scientific and technological developments		

*/ E/CN.4/1990/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council will be contained in documents E/CN.4/1990/L.11 and addenda.

XIV. HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS

1. The Commission considered agenda item 14 at its 45th and 46th meetings, held on 1 March, and at its 52nd meeting, held on 6 March 1990. 2/

2. The Commission had before it the following documents:

Note by the Secretary-General on the information to be submitted by the United Nations University pursuant to Commission resolution 1988/59 (E/CN.4/1990/29);

Report of the Secretary-General prepared in accordance with Commission resolution 1988/60 (E/CN.4/1990/30);

Report of the Working Group on the Draft Body of Principles and Guarantees for the Protection of Mentally-ill Persons and for the Improvement of Mental Health Care (E/CN.4/1990/31);

Report of the Secretary-General prepared in accordance with Commission resolution 1989/40 (E/CN.4/1990/53 and Adds.1-4);

Revised version of the guidelines for the regulation of computerized personal data files prepared by Mr. Louis Joinet, Special Rapporteur, in accordance with General Assembly resolution 44/132 (E/CN.4/1990/72);

Written statement submitted by the World Federation of Mental Health, a non-governmental organization in consultative status (category II) (E/CN.4/1990/NGO/29).

3. At the 45th meeting, on 1 March 1990, the Chairman-Rapporteur of the open-ended working group established under Commission resolution 1989/40, entitled "Principles and guarantees for the protection of persons detained on the grounds of mental ill-health or suffering from mental disorder", Mr. H. Steele (United Kingdom of Great Britain and Northern Ireland), introduced the group's report (E/CN.4/1990/31).

4. In the general debate on this item, 3/ statements were made by the following members of the Commission: Brazil (46th), Philippines (45th), Senegal (46th), Ukrainian Soviet Socialist Republic (46th), Union of Soviet Socialist Republics (46th), Yugoslavia (45th).

5. The Commission heard statements by the observers for: Australia (46th), Byelorussian Soviet Socialist Republic (46th), Libyan Arab Jamahiriya (46th).

6. A statement was also made by the observer for the World Health Organization (46th).

7. The Commission heard statements by the following non-governmental organizations: Disabled Peoples International (46th), Four Directions Council (46th), International Federation for Human Rights (46th), International Fellowship of Reconciliation (46th), International Indian Treaty Council (46th), International League for Human Rights (46th), International Movement for Fraternal Union among Races and Peoples (46th), Latin American Federation of Associations of Relatives of Disappeared Detainees (45th), World Federation for Mental Health (45th), World Movement of Mothers (45th).

8. At the 52nd meeting, on 6 March 1990, the Commission took up consideration of the draft resolutions submitted under agenda item 14.

9. The representative of the United Kingdom of Great Britain and Northern Ireland introduced draft resolution E/CN.4/1990/L.54, sponsored by Australia*, Byelorussian Soviet Socialist Republic*, Costa Rica*, the Gambia, Germany, Federal Republic of, Italy, Peru, the Philippines, Spain, Togo*, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, Zaire* and Zimbabwe*.

10. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1990/L.96) of draft resolution E/CN.4/1990/L.54.

11. The draft resolution was adopted without a vote.

12. For the text as adopted, see chapter II, section A, resolution 1990/38.

13. At the same meeting, the representative of Japan introduced draft resolution E/CN.4/1990/L.57, sponsored by Japan and Yugoslavia.

14. The draft resolution was adopted without a vote.

15. For the text as adopted, see chapter II, section A, resolution 1990/39.

16. At the same meeting, the observer for the Byelorussian Soviet Socialist Republic introduced draft resolution E/CN.4/1990/L.61, sponsored by Argentina, Bulgaria, the Byelorussian Soviet Socialist Republic*, Colombia, the German Democratic Republic*, Hungary, Morocco, Panama, Peru, Poland*, Romania*, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland. Algeria*, Bolivia*, Cameroon*, Cuba, Madagascar and Mongolia* subsequently joined the sponsors.

17. The draft resolution was adopted without a vote.

18. For the text as adopted, see chapter II, section A, resolution 1990/40.

19. On 1 March 1990, a draft resolution (E/CN.4/1990/L.63) was submitted by Algeria*, Bulgaria, the Byelorussian Soviet Socialist Republic*, Cyprus*, Czechoslovakia*, France, the German Democratic Republic*, Madagascar, Mongolia*, Nigeria, Peru, Poland*, Senegal, the Ukrainian Soviet Socialist Republic, Viet Nam* and Sweden, reading as follows:

"The Commission on Human Rights,

"Noting that scientific and technological progress is one of the decisive factors in the development of human society,

"Convinced of the paramount importance of the application of science and technology to economic and social progress and to the promotion and enjoyment of human rights and fundamental freedoms,

"Aware that increasing environmental degradation caused by the negative influence of scientific and technological development has led in some cases to irreversible changes in the environment, which threaten life-sustaining ecosystems and undermine health, well-being, development prospects and the very survival of life on the planet,

"Convinced that the preservation of life-sustaining ecosystems under conditions of rapid scientific and technological development is of vital importance for the protection of the human species and the promotion of human rights,

"Noting that everyone has the right to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions,

"Also noting that the States parties to the International Covenant on Economic, Social and Cultural Rights recognized the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and agree, for that purpose, to take the steps necessary for the improvement of all aspects of environmental and industrial health,

"Recalling General Assembly resolution 44/228 of 22 December 1989 on a United Nations Conference on Environment and Development to be held in Brazil in 1992,

"Noting decision 1989/108 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities entitled "Human rights and the environment",

"1. Welcomes the decision of the Sub-Commission to have a note prepared for its forty-second session on methods by which a study on the problems of the environment and its relation to human rights could be made;

"2. Requests the Secretary-General to transmit this resolution to the Preparatory Committee of the United Nations Conference on Environment and Development, and to keep the Committee duly informed of the work in this field."

20. On 6 March 1990, the representative of the Ukrainian Soviet Socialist Republic introduced draft resolution E/CN.4/1990/L.63/Rev.1, sponsored by Algeria*, Bulgaria, the Byelorussian Soviet Socialist Republic*, China, Cyprus, Czechoslovakia*, France, the German Democratic Republic*, Greece*, Madagascar, Mongolia*, Nigeria, Peru, Poland*, Senegal, the Ukrainian Soviet Socialist Republic and Viet Nam*. Iraq, the Philippines, Romania* and Swaziland subsequently joined the sponsors.

21. A statement in explanation of vote before the vote was made by the representative of the United States of America.

22. At the request of the representative of the United States of America a vote was taken on draft resolution E/CN.4/1990/L.63/Rev.1. The draft resolution was adopted by 40 to none, with 2 abstentions.

23. A statement in explanation of vote after the vote was made by the representative of Japan.

24. For the text as adopted, see chapter II, section A, resolution 1990/41.

25. At the same meeting, the representative of France introduced draft resolution E/CN.4/1990/L.65, sponsored by France, Luxembourg* and the United Kingdom of Great Britain and Northern Ireland.

26. The draft resolution was adopted without a vote.

27. For the text as adopted, see chapter II, section A, resolution 1990/42.

28. At the same meeting, the Commission considered draft resolution II recommended by the Sub-Commission for adoption by the Commission (E/CN.4/1990/2, chap.1, sect. A).

29. The representative of Brazil proposed an amendment (E/CN.4/1990/L.51) to draft resolution II, submitted by Argentina, Brazil, Colombia, Mexico, Peru and Venezuela, reading as follows:

"In preambular paragraph 6, replace the words the right to live in a sound and healthy environment and consequently the right to health by the words and the right to the highest attainable standard of health, including in its environmental aspects".

30. The amendment was accepted by the Commission.

31. A statement in explanation of vote before the vote was made by the representative of the United States of America.

32. At the request of the representative of the United States of America a vote was taken on draft resolution II, which was adopted by 31 to none, with 11 abstentions.

33. For the text as adopted, see chapter II, section A, resolution 1990/43.

59

UNITED
NATIONS

E

Economic and Social
Council

Distr.
LIMITED

E/CN.4/1990/L.10/Add.15
28 February 1990

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 27

DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Ross HYNES (Canada)

CONTENTS */

Chapter		Paragraphs	Page
XV.	Implementation of the International Convention of the Suppression and Punishment of the Crime of Apartheid		

*/ E/CN.4/1990/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council will be contained in documents E/CN.4/1990/L.11 and addenda.

GE.90-11162/2837a

XV. IMPLEMENTATION OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID

1. The Commission considered item 15 concurrently with items 5, 6 and 16 (see chaps. V, VI and XVI) at its 10th to 16th meetings, held from 5 to 8 February 1990, and at its 38th meeting, held on 23 February 1990. 2/

2. The Commission had before it the following documents:

Note by the Secretary-General concerning the status of the Convention and of the submission of reports by States parties under article VII (E/CN.4/1990/32);

Reports submitted by State parties under article VII of the Convention (E/CN.4/1990/32/Add.1-6);

Note by the Secretary-General transmitting the views and information submitted by States parties, specialized agencies and non-governmental organizations in accordance with Commission resolution 1989/8 (E/CN.4/1990/34 and Add.1-2);

Report of the Group of Three established under the Convention (E/CN.4/1990/35).

3. At the 10th meeting, on 5 February 1990, Mr. V. Vassilenko, Chairman-Rapporteur of the Group of Three, introduced the report of the Group on its thirteenth session (E/CN.4/1990/35).

4. In the general debate on this item, 3/ statements were made by the following members of the Commission: Argentina (13th), Belgium (12th), Bulgaria (13th), Canada (13th), China (14th), Ethiopia (15th), France (13th), Germany, Federal Republic of (13th), Ghana (14th), Morocco (13th), Nigeria (11th), Pakistan (16th), Peru (14th), Philippines (12th), Portugal (14th), Union of Soviet Socialist Republics (14th), Venezuela (13th), Yugoslavia (16th).

5. The Commission also heard statements by the observers for: Czechoslovakia (12th), Egypt (13th), German Democratic Republic (15th), Guatemala (14th), Syrian Arab Republic (11th), Togo (13th).

6. Statements were also made by the following non-governmental organizations: Commission of the Churches on International Affairs of the World Council of Churches (13th), International Federation Terre des Hommes (11th).

7. At the 38th meeting, on 23 February 1990, the observer of the Libyan Arab Jamahiriya* introduced draft resolution E/CN.4/1990/L.17/Rev.1, sponsored by Angola*, Egypt*, Ethiopia, Ghana, Kenya*, the Libyan Arab Jamahiriya*,

Nigeria, Senegal, Sudan*, Swaziland, Tanzania* and Zimbabwe*. Algeria*, Cuba, Iraq, Madagascar, Mexico, Nicaragua*, the Syrian Arab Republic* and Tunisia* subsequently joined the sponsors.

8. The representative of the Federal Republic of Germany requested a separate roll-call vote on the sixth, seventh, ninth and twelfth preambular paragraphs and operative paragraphs 9, 10, 15 and 16. The sixth, seventh, ninth and twelfth preambular paragraphs and operative paragraphs 9, 10, 15 and 16 were adopted by 30 votes to 7, with 6 abstentions. The voting was as follows:

In favour: Argentina, Bangladesh, Botswana, Bulgaria, China, Colombia, Cuba, Cyprus, Ethiopia, Gambia, Ghana, India, Iraq, Madagascar, Mexico, Morocco, Nigeria, Pakistan, Panama, Peru, Philippines, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Swaziland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: Belgium, Canada, France, Germany, Federal Republic of, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Brazil, Hungary, Italy, Japan, Spain, Sweden.

9. The representative of the United Kingdom of Great Britain and Northern Ireland requested a separate roll-call vote on the thirteenth preambular paragraph. The thirteenth preambular paragraph was adopted by 26 votes to 8, with 9 abstentions. The voting was as follows:

In favour: Argentina, Bangladesh, China, Colombia, Cuba, Cyprus, Ethiopia, Gambia, Ghana, India, Iraq, Madagascar, Mexico, Morocco, Nigeria, Pakistan, Panama, Peru, Philippines, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Sweden, Venezuela, Yugoslavia.

Against: Belgium, Canada, France, Germany, Federal Republic of, Japan, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Botswana, Brazil, Bulgaria, Hungary, Italy, Spain, Swaziland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

10. The representative of the Ukrainian Soviet Socialist Republic made a statement in explanation of vote after the vote on the thirteenth preambular paragraph.

11. At the request of the representative of the United States of America, a roll-call vote was taken on draft resolution E/CN.4/1990/L.17/Rev.1 as a whole. The draft resolution was adopted by 32 votes to 2, with 9 abstentions. The voting was as follows:

In favour: Argentina, Bangladesh, Botswana, Brazil, Bulgaria, China, Colombia, Cuba, Cyprus, Ethiopia, Gambia, Ghana, Hungary, India, Iraq, Madagascar, Mexico, Morocco, Nigeria, Pakistan, Panama, Peru, Philippines, Sao Tome and Principe, Somalia, Spain, Sri Lanka, Swaziland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Belgium, Canada, France, Germany, Federal Republic of, Italy, Japan, Portugal, Spain, Sweden.

12. Statements in explanation of vote after the vote were made by the representatives of Botswana, Bulgaria, the Federal Republic of Germany, Italy, Panama, the Union of Soviet Socialist Republics and the United States of America.

13. For the text as adopted, see chapter II, section A, resolution 1990/12.

14. At the ..... meeting, on ..... March 1990, the Chairman announced that, in accordance with article IX of the International Convention on the Suppression and Punishment of the Crime of Apartheid, the following members of the Commission had been designated to serve on the Group of Three:

.....

[To be completed later]

- - - - -

(60)

UNITED NATIONS

E

Economic and Social Council

Distr.
LIMITED

E/CN.4/1990/L.10/Add.16
28 February 1990

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 27

DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Ross HYNES (Canada)

CONTENTS */

Chapter		Paragraphs	Page
XVI.	Study in collaboration with the Sub-Commission on Prevention of Discrimination and Protection of Minorities of ways and means of ensuring the implementation of United Nations resolutions bearing on apartheid, racism and racial discrimination; implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination		

*/ E/CN.4/1990/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commisison, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council will be contained in documents E/CN.4/1990/L.11 and addenda.

GE.90-11099/5485A

XVI. STUDY IN COLLABORATION WITH THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES OF WAYS AND MEANS OF ENSURING THE IMPLEMENTATION OF UNITED NATIONS RESOLUTIONS BEARING ON APARTHEID, RACISM AND RACIAL DISCRIMINATION; IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION

1. The Commission considered agenda item 16 concurrently with items 5, 6 and 15 (see chaps. V, VI and XV) at its 10th to 16th meetings, held from 5 to 8 February 1990, and at its 38th meeting, held on 23 February 1990. 2/

2. The Commission had before it the following documents:

Report of the Secretary-General on the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination (E/CN.4/1990/36);

Annual report on racial discrimination submitted by the International Labour Organisation in accordance with Economic and Social Council resolution 1588 (L) and General Assembly resolution 2785 (XXVI) (E/CN.4/1990/37);

Annual report on racial discrimination submitted by the United Nations Educational, Scientific and Cultural Organization in accordance with Economic and Social Council resolution 1588 (L) and General Assembly resolution 2785 (XXVI): Note by the Secretary-General (E/CN.4/1990/38);

Report on the International Seminar on Cultural Dialogue Between the countries of Origin and the Host Countries of Migrant Workers, Athens, Greece, 18-26 September 1989 (E/CN.4/1990/50);

Written statement submitted by the Bahá'i International Community, a non-governmental organization in consultative status (Category II) (E/CN.4/1990/NGO/7);

Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (Category I) (E/CN.4/1990/NGO/12);

Study by Mr. Asbjorn Eide on the achievements made and obstacles encountered during the Decades to Combat Racism and Racial Discrimination (E/CN.4/Sub.2/1989/8).

3. In the general debate on this item, 3/ statements were made by the following members of the Commission: Argentina (13th), Belgium (12th), Brazil (15th), Bulgaria (13th), Canada (13th), China (14th), Cuba (15th), Ethiopia (15th), France (13th), Ghana (14th), Italy (12th), Japan (15th), Mexico (15th), Morocco (13th), Peru (14th), Portugal (14th), Sri Lanka (15th), Union of Soviet Socialist Republics (14th), United States of America (15th), Venezuela (13th), Yugoslavia (15th).

4. The Commission also heard statements by the observers for: Australia (15th), Czechoslovakia (12th), Egypt (13th), Guatemala (14th), Nigeria (11th), Syrian Arab Republic (11th).

5. A statement was also made by the representative of the International Labour Organisation (12th).

6. Statements were also made by the following non-governmental organizations: Bahá'i International Community (13th), International Association against Torture (12th), World Union for Progressive Judaism (16th).

7. At the 38th meeting, on 23 February 1990, the Commission took up consideration of the draft resolution submitted under agenda item 16.

8. The representative of Senegal introduced draft resolution E/CN.4/1990/L.19, sponsored by Algeria*, Angola*, Bangladesh, Brazil, Burundi*, Cameroon*, China, Colombia, Côte d'Ivoire*, Cuba, Egypt*, Ethiopia, Gabon*, the Gambia*, Ghana, Iran*, Iraq, Kenya*, Liberia*, the Libyan Arab Jamahiriya*, Madagascar, Mauritania*, Nicaragua*, Nigeria, Pakistan, Peru, Rwanda*, Sao Tome and Principe, Senegal, Somalia, Sudan*, Swaziland, the Syrian Arab Republic*, Tanzania*, Togo*, Tunisia*, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, Yugoslavia, Zaire*, and Zimbabwe*. Mexico and the Byelorussian Soviet Socialist Republic* subsequently joined the sponsors.

9. The draft resolution was adopted without a vote.

10. A statement in explanation of vote after the vote was made by the representative of the United States of America.

11. For the text as adopted, see Chapter II, section A, resolution 1990/13.

12. At the same meeting, the Commission had before it draft decision 2 recommended by the Sub-Commission for adoption by the Commission (E/CN.4/1990/2, chap. I, sect. B).

13. The attention of the Commission was drawn to the estimate of the administrative and programme budget implications (E/CN.4/1990/2, Annex II) of draft decision 2.

14. At the request of the representative of the United States of America, a vote was taken on draft decision 2. The draft decision was adopted by 39 votes to 1, with 2 abstentions.

15. A statement in explanation of vote after the vote was made by the representative of the United Kingdom of Great Britain and Northern Ireland.

16. For the text as adopted see Chapter II, section B, decision 1990/103.

- - - - -

(61)

UNITED
NATIONS

E

Economic and Social
Council

Distr.
LIMITED

E/CN.4/1990/L.10/Add.17
27 February 1990

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 27

DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Ross HYNES (Canada)

CONTENTS */

Chapter		Paragraphs	Page
XVII.	Status of the International Covenants on Human Rights		

*/ E/CN.4/1990/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council will be contained in documents E/CN.4/1990/L.11 and addenda.

GE.90-11105/5487A

XVII. STATUS OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS

1. The Commission considered agenda item 17 concurrently with agenda items 7, 8 and 18 (see chaps. VII, VIII and XVIII) at its 16th to 21st meetings, held from 8 to 13 February 1990, and at its 38th meeting held on 23 February 1990. 2/

2. The Commission had before it the following documents:

Report of the Secretary-General on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights (A/44/441);

Note by the Secretary-General on the reservations, declarations, notifications and objections relating to the International Covenant on Civil and Political Rights and the Optional Protocol thereto (CCPR/C/2/Rev.2);

Note by the Secretary-General on the reservations, declarations and objections relating to the International Covenant on Economic, Social and Cultural Rights (E/C.12/1988/1);

Written statement submitted by the Four Directions Council, a non-governmental organization in consultative status (category I) (E/CN.4/1990/NGO/43).

3. In the general debate on this item 3/ statements were made by the following members of the Commission: Argentina (21st), Belgium (19th), Bulgaria (20th), Cyprus (20th), Hungary (16th), Italy (20th), Japan (20th), Philippines (18th), Portugal (19th), Senegal (16th), Spain (19th), Sweden (19th), Union of Soviet Socialist Republics (20th).

4. The Commission also heard statements from the observers for: Australia (20th), Austria (21st), Byelorussian Soviet Socialist Republic (18th), Czechoslovakia (17th), Finland (20th), Libyan Arab Jamahiriya (17th), Netherlands (18th), New Zealand (18th).

5. A statement was made by the observer for the International Labour Organisation (19th).

6. Statements were also made by the following non-governmental organizations: Co-ordination Board of Jewish Organizations (18th), World Jewish Congress (18th), Latin American Federation of Associations of Relatives of Disappeared Detainees (21st).

7. At the 38th meeting, on 23 February 1990, the observer of the Byelorussian Soviet Socialist Republic introduced draft resolution E/CN.4/1990/L.22, sponsored by Bulgaria, the Byelorussian Soviet Socialist Republic*, Czechoslovakia*, the German Democratic Republic*, Hungary, Poland*, Romania*, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics. The Philippines and the Syrian Arab Republic* subsequently joined the sponsors.

8. The draft resolution was adopted without a vote.

9. A statement in explanation of vote after the vote was made by the representative of Japan.

10. For the text as adopted, see chapter II, section A, resolution 1990/19.

11. At the same meeting, the representative of Sweden introduced draft resolution E/CN.4/1990/L.32, sponsored by Australia*, Austria*, Bulgaria, the Byelorussian Soviet Socialist Republic*, Canada, Cyprus, Denmark*, Finland*, the German Democratic Republic*, Hungary, Ireland*, New Zealand*, Nicaragua*, Norway*, Peru, Portugal, Senegal, Sweden, the Netherlands, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland. Cameroon*, the Gambia, the Philippines, Spain and the Syrian Arab Republic* subsequently joined the sponsors.

12. The draft resolution was adopted without a vote.

13. For the text as adopted, see chapter II, section A, resolution 1990/20.

---

(62)

UNITED NATIONS

E

Economic and Social Council

Distr.
LIMITED

E/CN.4/1990/L.10/Add.18
28 February 1990

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 27

DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Ross HYNES (Canada)

CONTENTS */

Chapter		Paragraphs	Page
XVIII.	Effective functioning of bodies established pursuant to United Nations human rights instruments		

*/ E/CN.4/1990/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council will be contained in documents E/CN.4/1990/L.11 and addenda.

GE.90-11168/5499A

XVIII. EFFECTIVE FUNCTIONING OF BODIES ESTABLISHED PURSUANT TO UNITED NATIONS HUMAN RIGHTS INSTRUMENTS

1. The Commission considered agenda item 18 concurrently with items 7, 8, 17 (see chaps. VII, VIII and XVII) at its 16th to 21st meetings, held on 8 to 13 February 1990, and at its 38th and 42nd meetings, held on 23 and 27 February 1990. 2/

2. The Commission had before it the following documents:

Report of the Secretary General (A/44/539);

Note by the Secretary-General (A/44/668);

Report of the Secretary-General (E/CN.4/1990/39 and Corr.1);

Report of the Secretary General (E/CN.4/1990/67);

Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I) (E/CN.4/1990/NGO/52).

3. In the general debate on this item, 3/ statements were made by the following members of the Commission: Belgium (19th), Bulgaria (20th), Canada (18th), Hungary (16th), Italy (20th), Japan (20th), Philippines (18th), Portugal (19th), Sweden (19th), Union of Soviet Socialist Republics (20th), United Kingdom of Great Britain and Northern Ireland (20th), Yugoslavia (21st).

4. The Commission also heard statements by the observers for: Austria (21st), Finland (20th), Mongolia (18th), Netherlands (18th), New Zealand (18th), Sudan (21st).

5. The representative of the International Labour Organisation (19th) also made a statement.

6. Statements were also made by the following non-governmental organizations: Co-ordinating Board of Jewish Organizations (18th), World Jewish Congress (18th), Four Directions Council (17th), International Federation for Human Rights (18th).

7. At the 38th meeting, on 23 February 1990, the representative of Italy introduced draft resolution E/CN.4/1990/L.30, sponsored by Argentina, Australia*, Bulgaria, Canada, Colombia, Denmark*, France, the German Democratic Republic*, Hungary, Italy, Norway*, Peru and the Philippines. Morocco and Zaire* subsequently joined the sponsors.

8. The draft resolution was adopted without a vote.

9. Statements in explanation of vote after the vote were made by the representatives of Japan and the United Kingdom of Great Britain and Northern Ireland.

10. For the text as adopted, see chapter II, section A, resolution 1990/21.

11. At the 42nd meeting, on 27 February 1990, the representative of Canada introduced draft resolution E/CN.4/1990/L.29, sponsored by Australia*, Austria*, Canada, Costa Rica*, Denmark*, Finland*, the Gambia, Hungary, Italy, the Netherlands*, New Zealand*, the Philippines, Portugal, Sweden, the Ukrainian Soviet Socialist Republic and Yugoslavia. Kenya* subsequently joined the sponsors.

12. The representative of Canada revised orally operative paragraph 10 of the draft resolution as follows:

(a) The word "establish" was replaced by the words "seek to obtain, at the earliest opportunity, the concurrence of States parties to the Convention on the Elimination of Racial Discrimination to the establishment";

(b) The word "and" was replaced by the words "provided that the agreement of a State party must first be obtained before its own over-assessment is paid into this fund, with the fund";

(c) The words "in full" were inserted between the words "reimbursed" and "once payment".

13. The draft resolution, as orally revised, was adopted without a vote.

14. Statements in explanation of vote after the vote were made by the representatives of the Federal Republic of Germany, Japan and the United Kingdom of Great Britain and Northern Ireland.

15. For the text as adopted, see chapter II, section A, 1990/25.

UNITED
NATIONS

E

Economic and Social
Council

Distr.
LIMITED

E/CN.4/1990/L.10/Add.19
9 March 1990

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 27

DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Ross HYNES (Canada)

CONTENTS */

Chapter		Paragraphs	Page
XIX.	Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its forty-first session		

*/ E/CN.4/1990/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the commission, as well as draft resolutions and decisions for action by, and other matters of concern to the Economic and Social Council will be contained in documents E/CN.4/1990/L.11 and addenda.

XIX. REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS FORTY-FIRST SESSION

1. The Commission considered agenda item 19 at its 46th to 49th meetings, held on 1 March to 5 March, and at its 53rd and 54th meetings, held on 7 March 1990. 2/

2. The Commission had before it the following documents:

Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its forty-first session (E/CN.4/1990/2 - E/CN.4/Sub.2/1989/58);

Report of Mr. F. Yimer, Chairman of the Sub-Commission at its forty-first session, prepared in accordance with paragraph 15 of Commission on Human Rights resolution 1989/36 (E/CN.4/1990/40);

Note by the Chairman circulating the Advisory Opinion delivered by the International Court of Justice (E/CN.4/1990/56);

Note by the Secretary-General on administrative and programme budget implications of resolutions adopted by the Sub-Commission at its forty-first session (E/CN.4/1990/75);

Letter dated 23 February 1990, from the Permanent Representative of Yugoslavia to the United Nations at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1990/82);

Letter dated 1 March 1990 from the Chargé d'affaires of the Permanent Mission of the Socialist People's Republic of Albania to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1990/85);

Written statement submitted by the Baha'i International Community, a non-governmental organization in consultative status (category II) (E/CN.4/1990/NGO/6).

3. At the 46th meeting, on 1 March 1990, Mr. F. Yimer, the Chairman of the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its forty-first session, introduced his report (E/CN.4/1990/40) prepared in accordance with paragraph 15 of Commission on Human Rights resolution 1989/39.

4. In the general debate on this item, 3/ statements were made by the following members of the Commission: Belgium (49th), Brazil (46th), Canada (47th), China (47th), Cyprus (48th), Ethiopia (49th), India (48th), Morocco (47th), Nigeria (48th), Philippines (49th), Portugal (49th), Spain (47th),

Sweden (49th), Ukrainian Soviet Socialist Republic (47th), Union of Soviet Socialist Republics (47th), United Kingdom of Great Britain and Northern Ireland (46th), United States of America (47th), Yugoslavia (46th), Venezuela (49th).

5. The Commission heard statements by the observers for: Australia (48th), Austria (48th), Netherlands (48th).

6. A statement was also made by the observer for the International Labour Organisation (49th).

7. The Commission heard statements by the following non-governmental organizations: Caritas Internationalis (46th), Christian Democratic International (47th), Commission of the Churches on International Affairs of the World Council of Churches (48th), Four Directions Council (47th), Indian Law Resource Centre (47th), Indian Council of South America (49th), International Abolitionist Federation (46th), International Catholic Child Bureau (46th), International Federation for Human Rights (49th), International Indian Treaty Council (49th), International League for Human Rights (46th), International Movement for Fraternal Union among Races and Peoples (47th), International Organization for the Elimination of all Forms of Racial Discrimination (46th), International Organization for the Development of Freedom of Education (46th), Latin American Federation of Association of Relatives of Disappeared Detainees (46th), Liberation (46th), World Union for Progressive Judaism (49th).

8. The Commission also heard joint statements by the following non-governmental organizations: Grand Council of the Crees (of Quebec) (48th) on behalf of: Grand Council of the Crees (of Quebec) and South American Indian Council; International Commission of Health Professionals for Health and Human Rights (48th) on behalf of: International Commission of Health Professionals for Health and Human Rights, War Amputations of Canada; International Council of Jewish Women (46th) on behalf of: Arab Lawyers Union, Arab Organization for Human Rights, Baha'i International Community, Christian Democratic International, Co-ordinating Board of Jewish Organizations, Defence for Children International, Human Rights Advocates, International Abolitionist Federation, International Alliance of Women, International Association for Religious Freedom, International Child Catholic Bureau, International Council of Jewish Women, International Federation of Women Lawyers, International Fellowship of Reconciliation, International

League for the Rights and Liberation of Peoples, International Movement - ATD Fourth World, International Movement for Fraternal Union among Races and Peoples, International Organization for the Elimination of all forms of Racial Discrimination, International Organization of Penal Law, Liberation, Medical Women's International Association, World Association of Girl Guides and Girl Scouts, World Federation of Methodist Women, World Jewish Congress, World Union for Progressive Judaism; World Zionist Organization, Zonta International; International League for the Rights and Liberation of Peoples (48th) on behalf of: Habitat International Coalition, Human Rights Advocates, International Association of Educators for World Peace, International Association against Torture, International Commission of Health Professionals for Health and Human Rights, Liberation, Minority Rights Groups, Pax Christi International.

9. Statements in right of reply or equivalent to right of reply were made by Bulgaria (47th), Indonesia (49th) and Yugoslavia (49th).

10. At the 53rd meeting, held on 7 March 1990, the Commission took up consideration of the draft decisions and draft resolutions submitted under agenda item 19.

11. The representative of France introduced draft decision E/CN.4/1990/L.66 sponsored by France.

12. The draft decision was adopted without a vote.

13. For the text of the draft decision as adopted, see chapter II, section B, decision 1990/107

14. At the same meeting, the representative of Canada introduced draft resolution E/CN.4/1990/L.70 sponsored by Afghanistan*, Australia*, Canada, China, Colombia, Cuba, Cyprus, Denmark*, the Gambia, the German Democratic Republic*, the Netherlands*, Norway*, Peru, the Philippines, Senegal, Sweden and Zaire*.

15. The representative of Canada orally revised the fifth operative paragraph by inserting the words: "ten serviced meetings in the".

16. The attention of the Commission was drawn to the Administrative and Programme budget implications contained in E/CN.4/1990/L.104/Rev.1 of draft resolution E/CN.4/1990/L.70.

17. Statements relating to the draft resolution were made by the representatives of Nigeria, Colombia, the Philippines and Mexico.

18. The draft resolution as orally revised, was adopted without a vote.

19. For the text as adopted, see chapter II, section A, resolution 1990/62.

20. In view of the adoption of draft resolution E/CN.4/1990/L.70 (see paras. 14-18), the Commission decided to take no action on draft resolution X contained in E/CN.4/1990/2, chapter I, section A, and draft decision 3 contained in E/CN.4/1990/2, chapter I, section B, recommended by the Sub-Commission.

21. At the same meeting the representative of the Netherlands introduced draft resolution E/CN.4/1990/L.71, sponsored by Belgium, Colombia, Costa Rica*, France, the Gambia, Nicaragua*, the Philippines, Portugal, the Netherlands* and Zaire*.

22. The draft resolution was adopted without a vote.

23. For the text as adopted, see chapter II, section A, resolution 1990/63.

24. At the same meeting, the representative of Belgium introduced draft decision E/CN.4/1990/L.83 sponsored by Belgium and Austria.

25. The draft decision was adopted without a vote.

26. For the text as adopted, see chapter II, section B, decision 1990/108.

27. At the same meeting, the representative of Austria introduced draft resolution E/CN.4/1990/L.88, sponsored by Argentina, Austria*, Belgium, France, the Federal Republic of Germany, Hungary, the Netherlands*, the Philippines, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland, Yugoslavia and Zaire*. Japan subsequently joined the sponsors.

28. The representative of Austria orally revised the draft resolution by inserting a new operative paragraph 9 and a new operative paragraph 17 reading as follows:

"9. Requests the Sub-Commission at its forty-second session to consider its practice of forwarding draft resolutions and decisions to the Commission for attention, action or consideration."

"17. Invites the Chairman of the Commission to inform the Sub-Commission on the debate under this item."

29. The representative of the United States of America made a statement relating to the draft resolution as orally revised.

30. The draft resolution, as orally revised, was adopted without a vote.

31. For the text as adopted, see chapter II, section A, resolution 1990/64.

32. At the same meeting, the Commission also had before it draft resolutions VI, VIII, XI, XII, XIII and XIV, recommended by the Sub-Commission for adoption by the Commission.

33. The attention of the Commission was drawn to the administrative and programme budget implications relating to draft resolutions VI and XIV contained in annexes II and III to the Sub-Commission report (E/CN.4/1990/2). 1/

34. At the same meeting, the Commission adopted draft resolution VI, without a vote.

35. For the text as adopted, see chapter II, section A, resolution 1990/65.

36. At the same meeting, the Commission considered draft resolution VIII.

37. The representative of Belgium proposed the following amendments:

(a) Add the following paragraph at the end of the preamble:

"Recognizing the vital role of the International Committee of the Red Cross in the dissemination of international humanitarian law;"

(b) Add the following paragraph as operative paragraph 1:

"1. Notes that the States Parties to the four Geneva Conventions of 1949 and to the two Additional Protocols of 1977 have undertaken to disseminate those instruments as widely as possible and, in particular, to include the study thereof in their programmes of military instruction and to encourage the study thereof by the civilian population;"

(c) Renumber former operative paragraph 1 as operative paragraph 2;

(d) Rewrite former operative paragraph 2, which read as follows:

"2. Considers it desirable that this education include transmission of knowledge of at least the following instruments: the Geneva Conventions of 1949 and the two Additional Protocols of 1977, the Universal Declaration of Human Rights, the International Covenant of Civil and Political Rights, and other relevant instruments in the field of human rights as well as of the Code of Conduct for Law Enforcement Officials, the Standard Minimum Rules for the Treatment of Prisoners, the Declaration and the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, and Basic Principles on the Independence of the Judiciary, with a view to ensuring respect for the principles and rules contained in these provisions;"

And renumber it as operative paragraph 3 to read as follows:

"3. Recommends that this education also include transmission of knowledge of the relevant instruments in the field of human

rights as well of the Code of Conduct for Law Enforcement Officials, the Standard Minimum Rules for the Treatment of Prisoners and the Basic Principles on the Independence of the Judiciary, with a view to ensuring respect for the principles and rules contained in these provisions;"

(e) Renumber the former operative paragraphs 3, 4 and 5 as operative paragraphs 4, 5 and 6.

38. The amendments were accepted by the Commission.

39. The draft resolution, as amended, was adopted without a vote.

40. For the text as adopted, see chapter II, section A, resolution 1990/66.

41. At the same meeting, the Commission adopted draft resolution XIII without a vote.

42. Statements in explanation of vote after the vote were made by the representatives of the Federal Republic of Germany, Sweden and the United States of America.

43. For the text as adopted, see chapter II, section A, resolution 1990/67.

44. At the same meeting the Commission adopted draft resolution XII without a vote.

45. For the text as adopted, see chapter II, section A, resolution 1990/68.

46. At the same meeting, the Commission adopted draft resolution XIV without a vote.

47. For the text as adopted, see chapter II, section A, resolution 1990/69.

48. At the same meeting, the Commission had before it draft decision 1 recommended by the Sub-Commission for adoption by the Commission (E/CN.4/1990/2, chap. I, Sect. B).

49. The representative of Australia introduced an amendment to the draft decision by Australia*, Ethiopia, Mexico and Yugoslavia, contained in document E/CN.4/1990/L.99. The amendment was to add a new final paragraph to the text of the decision recommended for adoption by the Sub-Commission.

50. The amendment was accepted by the Commission.

51. The draft decision, as amended, was adopted without a vote.

52. A statement in explanation of vote after the vote was made by the representative of the United Kingdom of Great Britain and Northern Ireland.

53. For the text as adopted, see chapter II, section B, decision 1990/109.

54. At the 54th meeting, on 7 March 1990, the Chairman orally proposed a draft decision which was adopted by the Commission without a vote.

55. The representative of the United States of America made a statement in explanation of vote after the vote.

56. For the text of the decision, see chapter II, section B, decision 1990/112.

57. In view of the adoption of this decision, the Commission decided to take no action on draft resolution XI recommended by the Sub-Commission for adoption by the Commission (E/CN.4/1990/2, chap. I, sect. A).

58. On 5 March 1990, a draft decision (E/CN.4/1990/L.85) was submitted by Australia*, Belgium, Canada, Denmark*, Germany, Federal Republic of, Ireland*, Luxembourg*, the Netherlands*, Norway*, Portugal, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America, reading as follows:

> "At its ... meeting, on ... March 1990, the Commission decided to note with satisfaction both the invitation of the Iraqi Human Rights Society extended to the members of the Sub-Commission and the statement made by the Permanent Representative of Iraq to the Commission on 23 February 1990 which reaffirmed the readiness of the Government of Iraq to extend all the assistance necessary to ensure the success of the visit, to request the Government of Iraq to co-operate fully with the Centre for Human Rights for this purpose, to invite the Chairman of the Sub-Commission to consult the members of the Sub-Commission in order to select a representative group, also to request the Secretary-General to provide the necessary facilities, within existing resources, for the carrying out of the visit in accordance with United Nations practice, and further to request the Sub-Commission to report to the Commission on the results of the visit at its forty-seventh session."

59. At the 54th meeting, on 7 March 1990, the Commission considered a revised draft decision (E/CN.4/1990/L.85/Rev.1).

60. The attention of the Commission was drawn to the administrative and programme budget implications of draft decision E/CN.4/1990/L.85/Rev.1, in an oral statement delivered by the Deputy Director of the Centre for Human Rights.

61. Statements related to the revised draft decision were made by the representatives of Egypt, Morocco and Senegal.

62. The representative of Iraq moved a motion, in accordance with rule 65, paragraph 2, of the rules of procedures of the functional commissions of the Economic and Social Council to take no action on the draft decision.

63. The representatives of Bangladesh, China, Morocco, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America made statements related to the motion.

64. At the request of the representative of the Federal Republic of Germany, a roll-call vote was taken on the motion. The motion was adopted by 18 votes to 14, with 9 abstentions. The voting was as follows:

In favour: Argentina, Bangladesh, China, Cuba, Cyprus, Ethiopia, Ghana, India, Iraq, Madagascar, Morocco, Pakistan, Philippines, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Yugoslavia.

Against: Belgium, Bulgaria, Canada, France, Germany, Federal Republic of, Hungary, Italy, Japan, Panama, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Botswana, Brazil, Colombia, Gambia, Mexico, Nigeria, Peru, Swaziland, Venezuela.

65. The representatives of the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics stated that their delegations were not participating in the vote.

UNITED
NATIONS

E

Economic and Social
Council

Distr.
LIMITED

E/CN.4/1990/L.10/Add.20
7 March 1990

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 27

DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Ross HYNES (Canada)

CONTENTS */

Chapter		Paragraphs	Page
XX.	Rights of persons belonging to national, ethnic, religious and linguistic minorities		

*/ E/CN.4/1990/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council will be contained in documents E/CN.4/1990/L.11 and addenda.

XX. RIGHTS OF PERSONS BELONGING TO NATIONAL, ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES

1. The Commission considered agenda item 20 at its 52nd meeting, held on 6 March 1990.

2. The Commission had before it the report of the open-ended working group established by the Commission on Human Rights at its forty-sixth session to consider the drafting of a declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities (E/CN.4/1990/41).

3. At the same meeting, Mrs. Zagorka Ilic, Chairman-Rapporteur, introduced the report of the working group (E/CN.4/1990/41).

4. The representative of Yugoslavia introduced draft resolution E/CN.4/1990/L.58, sponsored by his delegation.

5. The draft resolution was adopted without a vote.

6. For the text as adopted, see chapter II, section A, resolution 1990/45.

7. At the same meeting, the Commission considered draft decision 4 recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/1990/2, chap. I, sect. B).

8. Draft decision 4 was adopted without a vote.

9. For the text as adopted, see chapter I, section B, decision 1990/105.